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**1994**

# ***Illinois Register***

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## **Rules of Governmental Agencies**

Volume 18, Issue 17 — April 29, 1994

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Secretary of State

ILLINOIS REGISTER

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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

1) HEADING OF THE PART: Sport Fishing Regulations for the Waters of Illinois

2) CODE CITATION: 17 Ill. Adm. Code 810

3) SECTION NUMBERS:  
810.45  
PROPOSED ACTION:  
Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code (Ill. Rev. Stat. 1991, ch. 56, pars. 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5) [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5]

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:  
This Part is being amended to add four new Sites to Section 810.45: Site M Ponds #1, #2, #3 and #4, Mascoutah Reservoir, Peabody River King Pit #3 Lakes and Ponds and Mt. Olive (Old) Lake; and to change regulations at Cedar Lake, U.S. Forest Service and City of Carbondale.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? Yes  
Section Numbers Proposed Action Illinois Register Citation  
810.45 Amendments 18 Ill. Reg. 5667, 4/8/94

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART?  
No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price  
Department of Conservation  
524 S. Second Street, Room 485  
Springfield, IL 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule does not affect small businesses

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF CONSERVATION  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 810

## SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section	
810.10	Sale of Fish and Fishing Seasons
810.20	Snagging
810.30	Pole and Line Fishing Only (Repealed)
810.35	Statewide Sportfishing Regulations - Daily Catch and Size Limits
810.37	Definitions for Site Specific Sportfishing Regulations
810.40	Daily Catch and Size Limits (Repealed)
810.45	Site Specific Water Area Regulations
810.50	Bait Fishing
810.60	Bullfrogs
810.70	Free Fishing Days
810.80	Emergency Protective Regulations
810.90	Fishing Tournament Permit
810.100	Bed Protection

**AUTHORITY:** Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5 and 25-5 of the Fish and Aquatic Life Code (Ill. Rev. Stat. 1991, ch. 56, pars. 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5 and 25-5) [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5]

**SOURCE:** Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendments at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4885, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendments at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendments at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendments at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendments at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendments at 13 Ill. Reg. 15118, effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendments at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill.

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Reg. 4699, effective March 18, 1991; emergency amendments at 15 Ill. Reg. 5430, effective March 27, 1991 for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13947, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendments at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendments at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendments at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 810.45 Site Specific Water Area Regulations**

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

**Allison Lake, City of Allison**

Logan County	-	2 Pole and Line Fishing Only (1)
All Fish	-	6 Fish Daily Creel Limit
Channel Catfish	-	

**Anderson Lake Fish and Wildlife Area**

Fulton County  
(Unlawful to trespass upon designated waterfowl hunting area 7 days prior to the waterfowl season and on areas designated as waterfowl refugees from October 10 until the end of the waterfowl season)

**Andover Lake, City of Andover**

Henry County	-	2 Pole and Line Fishing Only (1)
All Fish	-	6 Fish Daily Creel Limit
Channel Catfish	-	

**Apple River (within the boundaries of Apple River Canyon State Park)**

Jo Daviess County	-	14" Minimum Length Limit
Smallmouth Bass	-	1 Fish Daily Creel Limit
Smallmouth Bass	-	Spring Closed Season (11)
Trout	-	

**Argyle Lake, Argyle Lake State Park**

McDonough County	-	2 Pole and Line Fishing Only (1)
All Fish	-	6 Fish Daily Creel Limit
Channel Catfish	-	1 Fish > 15" &/or 5 < 12" Daily (12)
Large or Smallmouth Bass (14)	-	Fall Closed Season (10)
Trout	-	
Walleye, Sauger, or Hybrid	-	
Walleye	-	14" Minimum Length Limit



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## Ashland City Reservoir, City of Ashland

Cass County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit

## Ashley Reservoir, City of Ashley

Washington County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit

## Auburn Park Lagoon, Chicago Park District

Cook County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## Axehead Lake, Cook County Forest Preserve

Cook County  
 Trout - Fall Closed Season (10)

## Baker Lake, City of Peru

LaSalle County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish - 10 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

## Baldwin Lake, Baldwin Lake Conservation Area

Randolph County  
 All Fish - 2 Pole and Line Fishing Only (1)(28)  
 Large or Smallmouth Bass - 18" Minimum Length Limit  
 Striped, White, or Hybrid - 17" Minimum Length Limit  
 Striped Bass - 3 Fish Daily Creel Limit  
 Striped, White, or Hybrid - 25 Fish Daily Creel Limit  
 White, Black, or Hybrid - 9" Minimum Length Limit  
 Crappie (15)  
 White, Black, or Hybrid

## Banana Lake, Lake County Forest Preserve District

Lake County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## Trout

- Fall Closed Season (10)

## Banner Marsh Lake &amp; Ponds, Banner Marsh State Fish and Wildlife Area

Peoria/Fulton Counties  
 All Fish - 2 Pole and Line Fishing Only (1)(7)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 Walleye

## Batchtown Wildlife Management Area

Calhoun County  
 (Unlawful to trespass upon designated waterfowl hunting areas during the 3 days prior to the waterfowl season)

## Baumann Park Lake, City of Cherry Valley

Winnebago County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

## Beall Woods Lake, Beall Woods Conservation Area

Wabash County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Trout - Fall Closed Season (10)

## Beaver Dam Lake, Beaver Dam State Park

Macoupin County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 Trout - Fall Closed Season (10)  
 White, Black, or Hybrid - 10 Fish Daily Creel Limit  
 Crappie (15)  
 White, Black, or Hybrid - 9" Minimum Length Limit  
 Crappie

## Beck Lake, Cook County Forest Preserve District

Cook County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Walleye, Sauger, or Hybrid

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Walleye	-	18" Minimum Length Limit
Belleau Lake, Cook County Forest Preserve District		
Cook County		
Trout	-	Fall Closed Season (10)
Bird Park Quarry, City of Kankakee		
Kankakee County		
Trout	-	Fall Closed Season (10)
Trout	-	Spring Closed Season (11)
Borah Lake, City of Olney		
Richland County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	14" Minimum Length Limit
Boston Pond, Stephen A. Forbes State Park		
Marion County		
Trout	-	Fall Closed Season (10)
Trout	-	Spring Closed Season (11)
Braidwood-Mazonia Lakes and Ponds, Mazonia-Braidwood State Fish and Wildlife Area		
Grundy/Will County		
(Unlawful to fish or trespass upon the designated waterfowl hunting areas or refuge beginning 2 weeks prior to the waterfowl season until the end of the waterfowl season at Mazonia Fish and Wildlife Area. Braidwood Lake is closed to all fishing and boat traffic from 2 weeks prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with duck season)		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	15" Minimum Length Limit
Large or Smallmouth Bass (14)	-	3 Fish Daily Creel Limit
Striped, White, or Hybrid	-	17" Minimum Length Limit
Striped Bass	-	3 Fish Daily Creel Limit
Striped, White, or Hybrid	-	14" Minimum Length Limit
Walleye, Sauger, or Hybrid	-	10 Fish Daily Creel Limit
Walleye	-	2 Pole and Line Fishing Only (1)
White, Black, or Hybrid	-	6 Fish Daily Creel Limit
Crappie (15)	-	6 Fish Daily Creel Limit
Buckner City Reservoir, City of Buckner		
Franklin County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Bunker Hill Lake, City of Bunker Hill		
Macoupin County		

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Burrells Wood Park Pond		
White County		
Channel Catfish	-	6 Fish Daily Creel Limit
Busse Lake, Cook County Forest Preserve		
Cook County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	14" Minimum Length Limit
Walleye, Sauger, or Hybrid	-	18" Minimum Length Limit
Walleye	-	18" Minimum Length Limit
Calhoun Point Wildlife Management Area		
Calhoun County		
(Unlawful to trespass upon designated waterfowl hunting area during the 3 days prior to the waterfowl season)		
Campus Pond - Eastern Illinois University, State of Illinois		
Coles County		
Trout	-	Fall Closed Season (10)
Trout	-	Spring Closed Season (11)
Canton Lake, City of Canton		
Fulton County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	15" Minimum Length Limit
Large or Smallmouth Bass (16)	-	3 Fish Daily Creel Limit
Carlyle Lake (20), U.S. Army Corps of Engineers		
Clinton County		
(Unlawful to enter subimpoundment area during the 3 days prior to the opening of waterfowl hunting season. No one may enter the subimpoundment area before 4:30 a.m. each day of the waterfowl hunting season and no one may remain in the area after 3:00 p.m. each day of the waterfowl hunting season)		
Large or Smallmouth Bass	-	14" Minimum Length Limit
Walleye, Sauger, or Hybrid	-	14" Minimum Length Limit
Walleye	-	14" Minimum Length Limit
White, Black, or Hybrid	-	10 Fish Daily Creel Limit
Crappie (15)	-	10" Minimum Length Limit
White, Black, or Hybrid	-	10" Minimum Length Limit
Crappie	-	6 Fish Daily Creel Limit
Carthage Lake, City of Carthage		
Hancock County		
Channel Catfish	-	6 Fish Daily Creel Limit



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Cave-in-Rock State Park Pond, Cave-in-Rock State Park	
Hardin County	
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Cedar Lake, U.S. Forest Service and City of Carbondale	
Jackson County	
All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- <del>15" Minimum Length Limit</del> 14"-18" Protected Slot Length Limit (no possession)
Large or Smallmouth Bass	- 2 Fish Under 14" and 2 Fish Over 18" Daily Creel Limit
Striped, White, or Hybrid	- 17" Minimum Length Limit
Striped Bass	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid	- 14" Minimum Length Limit
Striped Bass (16)	
Walleye, Sauger, or Hybrid	
Walleye	
Centralia Lake, City of Centralia	
Marion County	
Large or Smallmouth Bass	- 15" Minimum Length Limit
Charleston Lower Channel Lake, City of Charleston	
Coles County	
All Fish	- 2 Pole and Line Fishing Only (1)
Charleston Side Channel Lake, City of Charleston	
Coles County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Striped, White, or Hybrid	- 17" Minimum Length Limit
Striped Bass	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid	- 3 Fish Daily Creel Limit
Striped Bass (16)	
Charlie Brown Lake & Pond, City of Flora	
Clay County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Citizen's Lake, State of Illinois	
Warren County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Clear Lake, Kickapoo State Park	
Vermilion County	
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Clinton Lake, Clinton Lake State Recreation Area	
DeWitt County	
All Fish	- 2 Pole and Line Fishing Only (1)(18)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Striped, White, or Hybrid	- 17" Minimum Length Limit
Striped Bass	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid	- 14" Minimum Length Limit
Striped Bass (16)	
Walleye or Sauger	
White, Black, or Hybrid	
Crappie (15)	- 15 Fish Daily Creel Limit
White, Black, or Hybrid	- 9" Minimum Length Limit
Crappie	
Coffeen Lake, Coffeen Lake State Fish and Wildlife Area	
Montgomery County	
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid	- 10 Fish Daily Creel Limit
Crappie (15)	- 9" Minimum Length Limit
White, Black, or Hybrid	
Crappie	
Coles County Airport Lake, Coles County Airport	
Coles County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Coleta Trout Pond, State of Illinois	
Whiteside County	
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Columbus Park Lagoon, Chicago Park District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Cook Co. F.P.D. Lakes, Cook County Forest Preserve District	

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Cook County	-	2 Pole and Line Fishing Only (1)
	-	14" Minimum Length Limit
Coulterville City Lake, City of Coulterville		
Randolph County	-	2 Pole and Line Fishing Only (1)
	-	6 Fish Daily Creel Limit
Channel Catfish		
Crab Orchard National Wildlife Refuge - Crab Orchard Lake, U.S. Fish and Wildlife Service	-	2 Pole and Line Fishing Only (1)(4)
	-	10 Creel/3 Fish 17" or Longer Daily (17)
Williamson County	-	15" Minimum Length Limit
	-	
Crab Orchard National Wildlife Refuge - Devil's Kitchen Lake, U.S. Fish and Wildlife Service		
Williamson County	-	2 Pole and Line Fishing Only (1)
	-	
Crab Orchard National Wildlife Refuge - Little Grassy Lake, U.S. Fish and Wildlife Service		
Williamson County	-	2 Pole and Line Fishing Only (1)
	-	6 Fish Daily Creel Limit
Channel Catfish	-	12-15" Slot Length Limit (3)
	-	
Crab Orchard National Wildlife Refuge - Refuge Ponds (except Visitor Pond), U.S. Fish and Wildlife Service		
Williamson County	-	2 Pole and Line Fishing Only (1)
	-	15" Minimum Length Limit
Crab Orchard National Wildlife Refuge - Visitor Pond, U.S. Fish and Wildlife Service		
Williamson County	-	2 Pole and Line Fishing Only (1)
	-	21" Minimum Length Limit
Crawford Co. Cons. Area - Picnic Pond, Crawford County Conservation Area		
Crawford County	-	Fall Closed Season (10)
	-	
Crawford Co. Cons. Area Ponds, Crawford County Conservation Area		
Crawford County	-	2 Pole and Line Fishing Only (1)
	-	6 Fish Daily Creel Limit
Channel Catfish	-	15" Minimum Length Limit
	-	
Crull Impoundment Wildlife Management Area		

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Jersey County		
(Unlawful to trespass upon designated waterfowl hunting area 7 days prior to the waterfowl season and on areas designated as waterfowl refugees from October 10 until the end of the waterfowl season)		
Dawson Lake & Park Ponds, Moraine View State Park		
McLean County	-	2 Pole and Line Fishing Only (1)
	-	25 Fish Daily Creel Limit
Bluegill or Redear Sunfish (14)	-	6 Fish Daily Creel Limit
	-	15" Minimum Length Limit
Channel Catfish	-	
	-	
Large or Smallmouth Bass	-	14" Minimum Length Limit
	-	
Walleye, Sauger, or Hybrid	-	14" Minimum Length Limit
	-	9" Minimum Length Limit
White, Black or Hybrid Crappie	-	
	-	
White, Black or Hybrid	-	15 Fish Daily Creel Limit
	-	
Decatur Park District Ponds, City of Decatur		
Macon County	-	2 Pole and Line Fishing Only (1)
	-	6 Fish Daily Creel Limit
All Fish	-	
	-	
Channel Catfish		
Defiance Lake, Moraine Hills State Park		
McHenry County	-	2 Pole and Line Fishing Only (1)
	-	6 Fish Daily Creel Limit
All Fish	-	14" Minimum Length Limit
	-	3 Fish Daily Creel Limit
Channel Catfish	-	
	-	
Large or Smallmouth Bass	-	
	-	
Large or Smallmouth Bass (14)	-	
	-	
Dixon Springs Ag. Center Pond; Dixon Springs Ag. Center		
Pope County	-	Fall Closed Season (10)
	-	Spring Closed Season (11)
Trout	-	
	-	
Dolan Lake, Hamilton County Conservation Area		
Hamilton County	-	2 Pole and Line Fishing Only (1)
	-	6 Fish Daily Creel Limit
All Fish	-	14" Minimum Length Limit
	-	
Channel Catfish	-	
	-	
Large or Smallmouth Bass	-	
	-	
Walleye, Sauger, or Hybrid	-	14" Minimum Length Limit
	-	
Walleye	-	
	-	
Douglas Park Lagoon, Chicago Park District		
Cook County	-	2 Pole and Line Fishing Only (1)
	-	6 Fish Daily Creel Limit
All Fish	-	
	-	
Channel Catfish		
East Fork Lake, City of Olney		
Richland County		



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 Walleye - 25 Fish Daily Creel Limit  
 White, Black, or Hybrid -  
 Crappie (15)

Evergreen Lake, City of Bloomington  
 McLean County

Large or Smallmouth Bass - 15" Minimum Length Limit  
 Pure Muskellunge - 36" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 Walleye

Faries Park Pond, City of Decatur  
 Macon County

Trout - Fall Closed Season (10)

Ferne Clyffe Lake, Ferne Clyffe State Park  
 Johnson County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Trout - Fall Closed Season (10)  
 Trout - Spring Closed Season (11)

Forbes State Lake, Stephen A. Forbes State Park  
 Marion County

All Fish - 2 Pole and Line Fishing Only (1)(5)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Striped, White, or Hybrid - 17" Minimum Length Limit  
 Striped Bass - 3 Fish Daily Creel Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 Walleye

Forbes State Park Pond, Stephen A. Forbes State Park  
 Marion County

All Fish - 2 Pole and Line Fishing Only (1)(5)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit

Forest Park Lagoon, City of Shelbyville  
 Shelby County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Trout - Fall Closed Season (10)  
 Trout - Spring Closed Season (11)

Four Lakes, Winnebago County Forest Preserve

Winnebago County - 2 Pole and Line Fishing Only (1)  
 All Fish - 6 Fish Daily Creel Limit  
 Channel Catfish

Fox Chain O'Lakes, State of Illinois  
 Lake and McHenry Counties

Large or Smallmouth Bass - 14" Minimum Length Limit (6)  
 Pure Muskellunge - 36" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 18" Minimum Length Limit (6)  
 Walleye - 3 Fish Daily Creel Limit (6)  
 Walleye, Sauger, or Hybrid -  
 Walleye (14)

Frank Holten Lakes, Frank Holten State Park  
 St. Clair County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Trout - Fall Closed Season (10)  
 Trout - Spring Closed Season (11)

Franklin Creek, Franklin Creek State Natural Area  
 Lee County

All Fish - 2 Pole and Line Fishing Only (1)

Gale Lake, Village of East Galesburg  
 Knox County

All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Garfield Park Lagoon, Chicago Park District  
 Cook County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

Gebhard Woods Pond, Gebhard Woods State Park  
 Grundy County

All Fish - 2 Pole and Line Fishing Only (1)  
 Trout - Spring Closed Season (11)

Giant City Park Pond, State of Illinois

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Jackson and Union Counties Largemouth and Spotted Bass	15" Minimum Length Limit
Gillespie New City Lake, City of Gillespie Macoupin County	
Channel Catfish	6 Fish Daily Creel Limit
Large or Smallmouth Bass	12-15" Slot Length Limit (3)
Large or Smallmouth Bass (14)	3 Fish Daily Creel Limit
Gillespie Old City Lake, City of Gillespie Macoupin County	
All Fish	2 Pole and Line Fishing Only (1)
Channel Catfish	6 Fish Daily Creel Limit
Large or Smallmouth Bass	15" Minimum Length Limit
Large or Smallmouth Bass (14)	3 Fish Daily Creel Limit
Glades - 12 Mile Island Wildlife Management Area Jersey County	
(Unlawful to trespass upon designated waterfowl hunting areas during the 3 days prior to the waterfowl season)	
Gladstone Lake, Henderson County Conservation Area Henderson County	
All Fish	2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	10 Fish Daily Creel Limit
Channel Catfish	6 Fish Daily Creel Limit
Large or Smallmouth Bass	12-15" Slot Length Limit (3)
Large or Smallmouth Bass (14)	3 Fish Daily Creel Limit
Glen Shoals Lake, City of Hillsboro Montgomery County	
Large or Smallmouth Bass	15" Minimum Length Limit
Large or Smallmouth Bass (14)	3 Fish Daily Creel Limit
Striped, White, or Hybrid	
Striped Bass	17" Minimum Length Limit
Striped, White, or Hybrid	
Striped Bass (16)	3 Fish Daily Creel Limit
Godar-Diamond/Hurricane Island Wildlife Management Area Calhoun County	
(Unlawful to trespass upon designated waterfowl hunting areas 7 days prior to the waterfowl season and on areas designated as waterfowl refugees from October 10 until the end of the waterfowl season)	
Gompers Park Lagoon, Chicago Park District Cook County	
All Fish	2 Pole and Line Fishing Only (1)
Channel Catfish	6 Fish Daily Creel Limit

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Gordon F. More Park Lake, City of Alton Madison County	
All Fish	2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	25 Fish Daily Creel Limit
Channel Catfish	6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	2 Fish < 15" &/or 1 Fish > or = 15" Daily (25)
Governor Bond Lake, City of Greenville Bond County	
Large or Smallmouth Bass	15" Minimum Length Limit
Large or Smallmouth Bass (14)	3 Fish Daily Creel Limit
Striped, White, or Hybrid	
Striped Bass	17" Minimum Length Limit
Striped, White, or Hybrid	
Striped Bass (16)	3 Fish Daily Creel Limit
Greenfield City Lake, City of Greenfield Green County	
All Fish	2 Pole and Line Fishing Only (1)
Channel Catfish	6 Fish Daily Creel Limit
Greenville Old City Lake, City of Greenville Bond County	
All Fish	2 Pole and Line Fishing Only (1)
Channel Catfish	6 Fish Daily Creel Limit
Trout	Fall Closed Season (10)
Harrisburg New City Reservoir, City of Harrisburg Saline County	
All Fish	2 Pole and Line Fishing Only (1)
Channel Catfish	6 Fish Daily Creel Limit
Heidecke Lake, Heidecke Lake State Fish and Wildlife Area Grundy County	
(Shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 2 weeks prior to duck season until the close of waterfowl season)	
All Fish	2 Pole and Line Fishing Only (1)
Channel Catfish	6 Fish Daily Creel Limit
Large or Smallmouth Bass	18" Minimum Length Limit
Large or Smallmouth Bass (14)	3 Fish Daily Creel Limit
Striped, White, or Hybrid	
Striped Bass (16)	10 Creel/3 Fish 17" or Longer Daily (17)
Walleye, Sauger, or Hybrid	
Walleye	22" Minimum Length Limit
Walleye, Sauger, or Hybrid	
Walleye (14)	3 Fish Daily Creel Limit
Hennepin Canal Mainline & Feeder, Hennepin Canal Parkway State Park	



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Multiple Counties	
All Fish	- 2 Pole and Line Fishing Only (1)(13)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Walleye, Sauger, or Hybrid	
Walleye	- 14" Minimum Length Limit
Herrick Lake, DuPage County Forest Preserve District	
DuPage County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Hidden Springs State Forest Pond, Hidden Springs State Forest	
Shelby County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Highland Old City Lake, City of Highland	
Madison County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Hillsboro Old City Lake, City of Hillsboro	
Montgomery County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)
Homer Lake, Champaign County Forest Preserve District	
Champaign County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Hornel Pond, Donnelly State Fish and Wildlife Area	
Bureau County	
All Fish	- 2 Pole and Line Fishing Only (1)(19)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area	
Alexander County	
(Only trolling motors in refuge from October 5-March 1)	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass	- 14" Minimum Length Limit
Horseshoe Lake State Park	
Madison County	
(Unlawful to trespass upon designated waterfowl hunting areas during the 3 days prior to the waterfowl season)	
All Fish	- 2 Pole and Line Fishing Only (1)(35)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid	
Crappie (15)	- 25 Fish Daily Creel Limit
Horton Lake, Nauvoo State Park	
Hancock County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Humbolt Park Lagoon, Chicago Park District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Illinois & Michigan Canal, State of Illinois	
Grundy/LaSalle Counties	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Illinois Beach State Park Pond, Illinois Beach State Park	
Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Illinois Department of Transportation Lake, State of Illinois	
Sangamon County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Jackson Park (Columbia Basin) Lagoon, Chicago Park District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park	
Henry County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Jones Park Lake, City of East St. Louis St. Clair County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Jones State Lake, Saline County Conservation Area Saline County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Jones Lake Trout Pond, Saline County Conservation Area Saline County	
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Jubilee College State Park Pond, Jubilee College State Park Peoria County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Kaskaskia River & all tributaries, State of Illinois Multiple Counties	
Walleye, Sauger, or Hybrid	- 14" Minimum Length Limit
Walleye	- 14" Minimum Length Limit
Kaskaskia River Fish and Wildlife Area - Doza Creek Wildlife Management Area St. Clair County	
(Closed to all public use 3 days prior to waterfowl hunting season)	
Kendall Co. Lake #1, Kendall County Forest Preserve District Kendall County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Kent Creek, State of Illinois Winnebago County	
Trout	- Spring Closed Season (11)
Kickapoo State Park Lakes & Pond, Kickapoo State Park Vermilion County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Kinkaid Lake, Kinkaid Lake State Fish and Wildlife Area Jackson County	
Large or Smallmouth Bass	- 18" Minimum Length Limit
Pure Muskellunge	- 36" Minimum Length Limit
Walleye, Sauger, or Hybrid	- 14" Minimum Length Limit
Walleye	- 14" Minimum Length Limit
Lake Atwood, McHenry County Conservation District McHenry County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)
Lake Bloomington, City of Bloomington McLean County	
Large or Smallmouth Bass	- 15" Minimum Length Limit
Striped, White, or Hybrid	- 17" Minimum Length Limit
Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid	- 17" Minimum Length Limit
Striped Bass (16)	- 3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid	- 14" Minimum Length Limit
Walleye	- 14" Minimum Length Limit
Lake Carlton, Morrison-Rockwood State Park Whiteside County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 36" Minimum Length Limit
Walleye, Sauger, or Hybrid	- 14" Minimum Length Limit
Walleye	- 14" Minimum Length Limit
White, Black, or Hybrid	- 25 Fish Daily Creel Limit
Crappie (15)	- 25 Fish Daily Creel Limit
Lake Co. Forest Preserve District Lakes; Lake County Forest Preserve District Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Lake Decatur, City of Decatur Macon County	
All Fish	- 2 Pole and Line Fishing Only (1) (29)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid	- 14" Minimum Length Limit
Walleye	- 14" Minimum Length Limit



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## Lake Depue Fish and Wildlife Area

## Bureau County

(Unlawful to trespass upon designated waterfowl hunting areas 7 days prior to the waterfowl season and on areas designated as waterfowl refugees from October 10 until the end of the waterfowl season)

## Lake Eureka, City of Eureka

## Woodford County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

## Lake George, Loud Thunder Forest Preserve

## Rock Island County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Pure Muskellunge
- Walleye, Sauger, or Hybrid
- Walleye
- White, Black, or Hybrid
- Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 36" Minimum Length Limit
- 14" Minimum Length Limit
- 25 Fish Daily Creel Limit

## Lake Jacksonville, City of Jacksonville

## Morgan County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

## Lake Kakusha, City of Mendota

## LaSalle County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- White, Black, or Hybrid
- Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit

## Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## Stephenson County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- Walleye, Sauger, or Hybrid
- Walleye
- White, Black, or Hybrid
- Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 14" Minimum Length Limit
- 25 Fish Daily Creel Limit

## Lake Mendota, City of Mendota

## LaSalle County

- Channel Catfish
- Large or Smallmouth Bass (14)
- 6 Fish Daily Creel Limit
- 1 Fish > or = 15" &/or 2 < 12" Daily (31)

## Lake Michigan (Illinois Portion), State of Illinois

## Lake/Cook Counties

- Trout and Salmon
- Trout and Salmon
- Lake Trout
- 10" Minimum Length Limit
- No more than 3 fish of any one species daily, except for Lake Trout
- 2 Fish Daily Creel Limit

## Lake Milliken, Des Plaines Conservation Area

## Will County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Spring Closed Season (11)

## Lake Mingo &amp; Kennekuk Cove Park Ponds, Vermilion County Conservation Area

## Vermilion County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Walleye, Sauger, or Hybrid
- Walleye
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 14" Minimum Length Limit

## Lake Murphysboro, Lake Murphysboro State Park

## Jackson County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

## Lake Nellie, City of St. Elmo

## Fayette County

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit

Lake-of-the-Woods & Elk's Pond, Champaign County Forest Preserve District  
 Champaign County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
 Trout - Spring Closed Season (11)

Lake Olson, Rock Cut State Park  
 Winnebago County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lake Paradise, City of Mattoon  
 Coles County

All Fish - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass - 14" Minimum Length Limit

Lake Paradise Shadow Ponds, City of Mattoon  
 Coles County

All Fish - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Channel Catfish - 6 Fish Daily Creel Limit

Lake Sara, City of Effingham  
 Effingham County

Large or Smallmouth Bass - 14" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 Walleye - 25 Fish Daily Creel Limit  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie (15)

Lake Shelbyville (21), U.S. Army Corps of Engineers  
 Moultrie/Shelby Counties

Large or Smallmouth Bass - 14" Minimum Length Limit  
 Pure Muskellunge - 36" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 Walleye - 10 Fish Daily Creel Limit  
 White, Black, or Hybrid - 10 Fish Daily Creel Limit  
 White, Black, or Hybrid - 10" Minimum Length Limit  
 Crappie (15)

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Lake Shelbyville - Ponds & Woods Lake, Lake Shelbyville State Fish and Wildlife Area  
 Moultrie/Shelby Counties

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit

Lake Springfield, City of Springfield  
 Sangamon County

All Fish - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie (15) - 9" Minimum Length Limit  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie - 9" Minimum Length Limit

Lake Storey, City of Galesburg  
 Knox County

All Fish - 2 Pole and Line Fishing Only (1)(5)  
 Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 Walleye - 3 Fish Daily Creel Limit  
 Walleye, Sauger, or Hybrid - 3 Fish Daily Creel Limit  
 Walleye (14)

Lake Sule, Flagg-Rochelle Park District  
 Ogle County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
 Pure Muskellunge - 36" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 Walleye

Lake Taylorville, City of Taylorville  
 Christian County

Large or Smallmouth Bass - 15" Minimum Length Limit  
 White, Black, or Hybrid - 9" Minimum Length Limit  
 Crappie - 25 Fish Daily Creel Limit  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie (15)

Lake Vandalia, City of Vandalia  
 Fayette County



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All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Striped, White, or Hybrid  
 Striped Bass - 17" Minimum Length Limit  
 Striped, White, or Hybrid  
 Striped Bass (16) - 3 Fish Daily Creel Limit

## Lake Vermilion, Vermilion County Conservation District

Vermilion County  
 All Fish - 2 Pole and Line Fishing Only (26)  
 Large or Smallmouth Bass - 15" Minimum Length Limit (23)  
 Pure Muskellunge - 36" Minimum Length Limit (23)  
 Walleye, Sauger, or Hybrid  
 Walleye - 14" Minimum Length Limit (23)

## Lake Williamsville, City of Williamsville

Sangamon County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit

## LaSalle Lake, LaSalle Power Station

LaSalle County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 18" Minimum Length Limit  
 Striped, White, or Hybrid  
 Striped Bass (16) - 10 Creel/3 Fish 17" or Longer Daily (17)

## Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site

Coles County  
 All Fish - 2 Pole and Line Fishing Only (1)

## Lincoln Park North Lagoon, Chicago Park District

Cook County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## Lincoln Park South Lagoon, Chicago Park District

Cook County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## Lincoln Trail Lake, Lincoln Trail State Park

Clark County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

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Large or Smallmouth Bass - 12-15" Slot Length Limit (3)  
 Little Black Slough, Little Black Slough State Natural Area  
 Johnson County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 All Fish - No Seines

## Little Sister Lake, County of Fulton

Fulton County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

## Lou Yeager Lake, City of Litchfield

Montgomery County  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

## Lower Cache River, Lower Cache River State Natural Area

Pulaski/Johnson Counties  
 All Fish - 2 Pole and Line Fishing Only (1)  
 All Fish - No Seines

## Lyerla Lake, Union County Conservation Area

Union County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## Macon County Conservation District Pond, Macon County Conservation District

Macon County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## Maple Lake, Cook County Forest Preserve District

Cook County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## Marquette Park Lagoon, Chicago Park District

Cook County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## Marshall County Conservation Area (Fishing Ditch), Marshall County Conservation Area

Marshall County  
 (Unlawful to trespass upon designated waterfowl hunting areas 7 days prior to the waterfowl season and

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on areas designated as waterfowl refuges from October 10 until the end of the waterfowl season)  
All Fish - 2 Pole and Line Fishing Only (1)

Mascoutah Reservoir, City of Mascoutah

St. Clair County  
All Fish - 2 Pole and Line Fishing Only (1)  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

## Mattoon Lake, City of Mattoon

Coles County  
All Fish - 2 Pole and Line Fishing Only (1)  
Large or Smallmouth Bass - 14" Minimum Length Limit

## Mazonia-Braidwood Lakes &amp; Pond, Mazonia-Braidwood State Fish and Wildlife Area

Grundy Will Counties  
(Unlawful to fish or trespass upon the designated waterfowl hunting areas or refuge beginning 2 weeks prior to the waterfowl season until the end of the waterfowl season at Mazonia Fish and Wildlife Area. Braidwood Lake is closed to all fishing and boat traffic from 2 weeks prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with duck season)

All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
Striped, White, or Hybrid  
Striped Bass - 17" Minimum Length Limit  
Striped, White, or Hybrid  
Striped Bass (16) - 3 Fish Daily Creel Limit  
Walleye, Sauger, or Hybrid  
Walleye - 14" Minimum Length Limit  
White, Black or Hybrid  
Crappie (15) - 10 Fish Daily Creel Limit

## Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area

Bureau County  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

## McCullom Lake, City of McHenry

McHenry County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

## McKinley Park Lagoon, Chicago Park District

Cook County

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All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

## McLeansboro City Lakes, City of McLeansboro

Hamilton County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit

## Meredosia Lake - Cass County Portion

Cass County

(Meandered waters only) (All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes)

## Mernmet State Lake, Mernmet Lake Conservation Area

Massac County  
(All boats prohibited from entering the duly posted waterfowl refuge (Main Lake) from October 1 until the close of the waterfowl season)  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit

## Middle Fork Forest Preserve Pond, Champaign County Forest Preserve

Champaign County  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit

## Mill Creek Lake, Clark County Park District

Clark County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)  
Walleye, Sauger, or Hybrid  
Walleye - 14" Minimum Length Limit

## Miller Park Lake, City of Bloomington

McLean County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Trout - Spring Closed Season (11)

## Mineral Springs Park Lagoon, City of Pekin

Tazewell County  
All Fish - 2 Pole and Line Fishing Only (1)



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Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
<u>Mississippi River (between IL &amp; IA), State of Illinois</u>	
Multiple Counties	
Large or Smallmouth Bass	- 14" Minimum Length Limit
Northern Pike	- 5 Fish Daily Creel Limit
Walleye and Sauger (14)	- 10 Fish Daily Creel Limit (24)
Walleye	- 15" Minimum Length Limit
<u>Mississippi River (between IL &amp; MO), State of Illinois</u>	
Multiple Counties	
(Boating prohibited on refuge area immediately south of Melvin Price Lock and Dam 26 from October 15-April 15)	
Northern Pike	- 1 Fish Daily Creel Limit
Walleye and Sauger (14)	- 8 Fish Daily Creel Limit
<u>Monroe Reservoir, Will County Forest Preserve District</u>	
Will County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
<u>Montrose Lake, City of Montrose</u>	
Cumberland County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
<u>Mt. Olive City Lakes, City of Mt. Olive</u>	
Macoupin County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
<u>Mt. Olive (Old) Lake, City of Mt. Olive</u>	
Macoupin County	
Large or Smallmouth Bass	- 15" Minimum Length Limit
<u>Mt. Sterling Lake, City of Mt. Sterling</u>	
Brown County	
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)
<u>Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm</u>	
Jefferson County	
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

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<u>Mundelein Park Dist. (Diamond Lake &amp; Park Ponds), City of Mundelein</u>	
Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
<u>Nashville City Lake, City of Nashville</u>	
Washington County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
<u>Newton Lake, Newton Lake State Fish and Wildlife Area</u>	
Jasper County	
All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid	
Walleye	- 14" Minimum Length Limit
White, Black, or Hybrid	
Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid	
Crappie	- 10" Minimum Length Limit
<u>Oakland City Lake, City of Oakland</u>	
Coles County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
<u>Ohio River (between Illinois &amp; Kentucky), State of Illinois</u>	
Multiple Counties	
Large or Smallmouth Bass	- 12" Minimum Length Limit
Northern Pike	- No Length or Creel Limit
Muskie or Tiger Muskie	- 2 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid	
Walleye (14)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid	
Crappie (15)	- 30 Fish Daily Creel Limit
Striped, White, Yellow or Hybrid	
Striped Bass	- 30 Creel/4 Fish 15" or Longer Daily (32)
<u>Otter Lake, Otter Lake Water Commission</u>	
Macoupin County	
Large or Smallmouth Bass	- 15" Minimum Length Limit
Striped, White, or Hybrid	

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Striped Bass	17" Minimum Length Limit
Striped, White, or Hybrid	
Striped Bass (16)	3 Fish Daily Creel Limit
Pure Muskellunge	36" Minimum Length Limit
Palmyra City Lake & Terry Park Pond, City of Palmyra	
Macoupin County	
All Fish	2 Pole and Line Fishing Only (1)
Channel Catfish	6 Fish Daily Creel Limit
Pana Lake, City of Pana	
Shelby and Christian Counties	
All Fish	2 Pole and Line Fishing Only (1)
Channel Catfish	6 Fish Daily Creel Limit
Large or Smallmouth Bass	14" Minimum Length Limit
Paris East & West Lakes, City of Paris	
Edgar County	
All Fish	2 Pole and Line Fishing Only (1)(5)
Channel Catfish	6 Fish Daily Creel Limit
Large or Smallmouth Bass	14" Minimum Length Limit
Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area	
St. Clair County	
All Fish	2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	15" Minimum Length Limit
Large or Smallmouth Bass (14)	3 Fish Daily Creel Limit
White, Black, or Hybrid	
Crappie (15)	25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	9" Minimum Length Limit
Peelman Lake, Kickapoo State Park	
Vermillion County	
Large or Smallmouth Bass	14" Minimum Length Limit
Pierce Lake, Rock Cut State Park	
Winnebago County	
All Fish	2 Pole and Line Fishing Only (1)(8)
Bluegill or Redear Sunfish (14)	5 Fish Daily Creel Limit
Channel Catfish	6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	1 Fish Daily Creel Limit
Large or Smallmouth Bass	14" Minimum Length Limit
Pure Muskellunge	36" Minimum Length Limit
Walleye, Sauger, or Hybrid	
Walleye	14" Minimum Length Limit
White, Black, or Hybrid	
Crappie (15)	25 Fish Daily Creel Limit

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Pinckneyville Lake, City of Pinckneyville	
Perry County	
Large or Smallmouth Bass	18" Minimum Length Limit
Large or Smallmouth Bass (14)	1 Fish Daily Creel Limit
Pine Creek, State of Illinois	
Ogle County	
Trout	Spring Closed Season (11)
Piscasaw Creek, State of Illinois	
McHenry County	
Trout	9" Minimum Length Limit
Trout	Spring Closed Season (11)
Pittsfield City Lake, City of Pittsfield	
Pike County	
Large or Smallmouth Bass	14" Minimum Length Limit
Striped, White, or Hybrid	
Striped Bass	17" Minimum Length Limit
Striped, White, or Hybrid	
Striped Bass (16)	3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid	
Walleye	14" Minimum Length Limit
Pocahontas Park Pond, City of Pocahontas	
Bond County	
All Fish	2 Pole and Line Fishing Only (1)
Channel Catfish	6 Fish Daily Creel Limit
Powerton Lake, Powerton Lake Fish and Wildlife Area	
Tazewell County	
(Closed to boat traffic from October 1-February 15, except for legal waterfowl hunters; closed to all unauthorized entry during the waterfowl season)	
All Fish	2 Pole and Line Fishing Only (1)
Channel Catfish	6 Fish Daily Creel Limit
Large or Smallmouth Bass	18" Minimum Length Limit
Large or Smallmouth Bass (14)	3 Fish Daily Creel Limit
Striped, White, or Hybrid	
Striped Bass (16)	10 Creel/3 Fish 17" or Longer Daily (17)
Walleye, Sauger, or Hybrid	
Walleye (14)	1 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid	
Walleye	24" Minimum Length Limit
Pratt Wayne Woods Lakes, DuPage County Forest Preserve	
DuPage County	
All Fish	2 Pole and Line Fishing Only (1)
Channel Catfish	6 Fish Daily Creel Limit



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Prospect Pond, City of Moline  
Rock Island County

Trout - Fall Closed Season (10)

Pyramid State Park Lakes & Pond, Pyramid State Park

Perry County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Ramsey Lake, Ramsey Lake State Park  
Fayette County

All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
Walleye - 14" Minimum Length Limit  
White, Black, or Hybrid - 10 Fish Daily Creel Limit  
White, Black, or Hybrid - 9" Minimum Length Limit  
Crappie

Randolph County Lake, Randolph County Conservation Area  
Randolph County

All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
Trout - Fall Closed Season (10)  
Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
Walleye

Red Hills Lake, Red Hills State Park  
Lawrence County

All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit

Red's Landing Wildlife Management Area  
Calhoun County

(Walk-in area closed to trespassing 3 days prior to duck season)

Rend Lake, (22) U.S. Army Corps of Engineers  
Franklin County

(All boat traffic is prohibited from entering the duly posted waterfowl refuge and the subinboundments from 2 weeks before waterfowl season until March 1 except that boats used by waterfowl hunters are permitted in the subinboundments from 4:30 a.m. until 2 p.m. during the waterfowl season, except during the last 3 days of the Canada goose season, boats used by waterfowl hunters are permitted in the

## DEPARTMENT OF CONSERVATION

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subinboundments from 4:30 a.m. until one hour after sunset. The land portion of the Rend Lake Refuge is closed to trespassing during waterfowl season)

Large or Smallmouth Bass - 14" Minimum Length Limit  
Striped, White, Yellow, or Hybrid  
Striped Bass (33) - 10 Creel/3 Fish 17" or Longer Daily (17)

Rend Lake Project Ponds, U.S. Army Corps of Engineers

Franklin County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Ridge Lake, Fox Ridge State Park

Coles County  
All Fish - 2 Pole and Line Fishing Only (1)(27)  
Channel Catfish - 14" Minimum Length Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
Walleye - 14" Minimum Length Limit

Riis Park Lagoon, Chicago Park District

Cook County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Rock Creek, State of Illinois  
Kankakee County

Trout - Spring Closed Season (11)

Rock River Main Stem Only, State of Illinois  
Multiple Counties

Large or Smallmouth Bass - 12" Minimum Length Limit  
Walleye, Sauger, and Hybrid - 14" Minimum Length Limit  
Walleye

Rock River Main Stem Only (from Oregon Dam to State Route 2 Highway Bridge at Grand Detour), State of Illinois

Ogle County  
Smallmouth Bass - Catch and Release Fishing Only (9)

Rock Springs Pond, Macon County Conservation District

Macon County  
Trout - Spring Closed Season (11)

Roodhouse Park Lake, City of Roodhouse  
Green County

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- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

St. Elmo South Lake, City of St. Elmo  
Fayette County

- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Sam Dale Lake, Sam Dale Conservation Area  
Wayne County

- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye, Sauger and Hybrid Walleye - 14" Minimum Length Limit

Sam Dale Trout Pond, Sam Dale Conservation Area  
Wayne County

- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)

Sam Parr Lake, Sam Parr State Park  
Jasper County

- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Sand Lake, Illinois Beach State Park  
Lake County

- Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass(14) - 1 Fish Daily Creel Limit  
Trout - Fall Closed Season (10)

Sanganois Conservation Area

Mason, Cass, Schuyler and Menard Counties

(Unlawful to trespass upon designated waterfowl hunting areas during the 3 days prior to the waterfowl season; fishing prohibited in impoundment areas during the waterfowl season; no trespassing at Barkhausen Refuge October 1 through end of goose season; no person shall trespass on the Marion Pickrel Refuge October 1 through the last day of waterfowl season unless proper permission is granted by the site superintendent)

Sangchris Lake, Sangchris Lake State Park  
Christian/Sangamon Counties

(Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period

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from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the goose season that follows the duck season)

- All Fish - 2 Pole and Line Fishing Only (1)  
Large or Smallmouth Bass (14) - 2 Fish <15" &/or 1 Fish >or = 15" Daily (25)  
White, Black, or Hybrid  
Crappie (15) - 25 Fish Daily Creel Limit  
White, Black, or Hybrid  
Crappie - 9" Minimum Length Limit

Sangchris Lake Park Pond, Sangchris Lake State Park  
Sangamon County

- All Fish - 2 Pole and Line Fishing Only (1)

Schuy-Rush Lake, City of Rushville

Schuyler County

- Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
Walleye  
White, Black, or Hybrid - 9" Minimum Length Limit  
Crappie

Senior Citizen's Pond, Kankakee River State Park

Kankakee County

- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Shabbona Lake, Shabbona Lake State Park

DeKalb County

- All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Pure Muskellunge - 36" Minimum Length Limit  
Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
Walleye  
White, Black, or Hybrid - 10 Fish Daily Creel Limit  
Crappie (15)

Shawnee National Forest Lakes & Pond, U.S. Forest Service

Multiple Counties

- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service  
Multiple Counties

- Large-mouth Bass - 12" Minimum Length Limit

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Shawnee National Forest - Bay Creek Lake, U.S. Forest Service  
Pope County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Shawnee National Forest - Dutchman Lake, U.S. Forest Service  
Johnson County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Shawnee National Forest - Lake Glendale, U.S. Forest Service  
Pope County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Shawnee National Forest - Little Cedar Lake, U.S. Forest Service  
Jackson County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Shawnee National Forest - One Horse Gap Lake, U.S. Forest Service  
Gallatin County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Shawnee National Forest - Pounds Hollow Lake, U.S. Forest Service  
Gallatin County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Shawnee National Forest - Tecumseh Lake, U.S. Forest Service  
Hardin County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Shawnee National Forest - Whoopie Cat Lake, U.S. Forest Service  
Hardin County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Sherman Park Lagoon, Chicago Park District  
Cook County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Siloam Springs Lake, Siloam Springs State Park  
Adams County  
All Fish - 2 Pole and Line Fishing Only (1)

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Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)

Silver Lake, DuPage County Forest Preserve District  
DuPage County  
Trout - Spring Closed Season (11)

Silver Lake (Highland), City of Highland  
Madison County  
Walleye, Sauger, or Hybrid - 14" Minimum Length Limit

Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Park  
Kendall County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)

Site M Ponds #1, #2, #3 and #4, Site M Conservation Area  
Cass County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit

Snake Den Hollow Lakes, Snake Den Hollow State Fish and Wildlife Area  
Knox County  
(All use other than waterfowl hunting prohibited from October 1 through the end of the goose season)  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
Pure Muskellunge - 36" Minimum Length Limit  
Walleye, Sauger, or Hybrid - 3 Fish Daily Creel Limit  
Walleye (14) - 14" Minimum Length Limit  
Walleye, Sauger, or Hybrid - 5 Fish Daily Creel Limit  
White, Black, or Hybrid  
Crappie (15)

Sparta City Lakes, City of Sparta  
Randolph County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass 15" Minimum Length Limit

Spring Lake, City of Macomb  
McDonough County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)(5)
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit
- Striped, White, or Hybrid
- 17" Minimum Length Limit
- Striped Bass
- 15" Minimum Length Limit
- Striped, White, or Hybrid
- 3 Fish Daily Creel Limit
- Striped Bass (16)

Spring Lake (North & South), Spring Lake Conservation Area

Tazewell County

(Unlawful to trespass upon designated waterfowl hunting area 7 days prior to the waterfowl season and on areas designated as waterfowl refuges from October 10 until the end of the waterfowl season)

- All Fish
- 2 Pole and Line Fishing Only (1)(7)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Pure Muskellunge
- 36" Minimum Length Limit
- White, Black, or Hybrid
- Crappie (15)
- 25 Fish Daily Creel Limit
- White, Black, or Hybrid
- 9" Minimum Length Limit
- Crappie

Staunton City Lake, City of Staunton

Macoupin County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit

Sterling Lake, Lake County Forest Preserve District  
Lake County

- All Fish
- 2 Pole & Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- Pure Muskellunge
- 36" Minimum Length Limit
- Walleye, Sauger, or Hybrid
- 14" Minimum Length Limit
- Walleye

Stump Lake Wildlife Management Area

Jersey County

(Unlawful to trespass upon designated waterfowl hunting areas during the 3 days prior to the waterfowl season)

- 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Tampier Lake, Cook County Forest Preserve  
Cook County

- All Fish
- 2 Pole and Line Fishing Only
- Channel Catfish
- 6 Fish Daily Creel Limit
- Walleye, Sauger, or Hybrid
- 16" Minimum Length Limit
- Walleye

Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area

Hamilton/Jefferson Counties

(Areas designated as refuge are closed to all access during the Canada goose season)

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit

Tomahawk Lake, Moraine Hills State Park

McHenry County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit

Tremont Pond, Village of Tremont

Tazewell County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit

Turner Lake, Chain O'Lakes State Park

Lake County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit

Tuscola City Lake, City of Tuscola

Douglas County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit

Union County Conservation Area

Union County

(All fishing and boat traffic prohibited October 15-March 1)

Valley Lake, Wildwood Park District

Lake County

- All Fish
- 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	15" Minimum Length Limit
Large or Smallmouth Bass (14)	-	3 Fish Daily Creel Limit
<b>Vandalia Correctional Facility Pond, State of Illinois</b>		
Fayette County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
<b>Vanhorn Woods Pond, Plainfield Park District</b>		
Will County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	15" Minimum Length Limit
Large or Smallmouth Bass (14)	-	1 Fish Daily Creel Limit
<b>Vernor Lake, City of Olney</b>		
Richland County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	14" Minimum Length Limit
<b>Villa Grove East Lake, City of Villa Grove</b>		
Douglas County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	14" Minimum Length Limit
<b>Villa Grove West Lake, City of Villa Grove</b>		
Douglas County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	14" Minimum Length Limit
Trout	-	Fall Closed Season (10)
<b>Virginia City Reservoir, City of Virginia</b>		
Cass County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	15" Minimum Length Limit
<b>Waddams Creek, State of Illinois</b>		
Stephenson County		
Trout	-	Spring Closed Season (11)
<b>Walnut Point Lake, Walnut Point State Fish and Wildlife Area</b>		
Douglas County		
All Fish	-	2 Pole and Line Fishing Only (1)

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	12-15" Slot Length Limit (3)
<b>Walton Park Lake, City of Litchfield</b>		
Montgomery County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
<b>Warrior Lake, Moraine Hills State Park</b>		
McHenry County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	14" Minimum Length Limit
Large or Smallmouth Bass (14)	-	3 Fish Daily Creel Limit
<b>Washington County Lake, Washington County Conservation Area</b>		
Washington County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	14" Minimum Length Limit
Striped, White, or Hybrid	-	17" Minimum Length Limit
Striped Bass	-	17" Minimum Length Limit
Striped, White, or Hybrid	-	3 Fish Daily Creel Limit
Striped Bass (16)	-	
<b>Washington Park Lagoon, Chicago Park District</b>		
Cook County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
<b>Washington Park Pond, Springfield Park District</b>		
Sangamon County		
Trout	-	Fall Closed Season (10)
Trout	-	Spring Closed Season (11)
<b>Waverly Lake, City of Waverly</b>		
Morgan County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
Large or Smallmouth Bass	-	15" Minimum Length Limit
<b>Weinberg-King Pond, Weinberg-King State Park</b>		
Schuyler County		
All Fish	-	2 Pole and Line Fishing Only (1)
Channel Catfish	-	6 Fish Daily Creel Limit
<b>Weldon Springs Lake, Weldon Springs State Park</b>		
DeWitt County		

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit

West Frankfort New City Lake, City of West Frankfort  
 Franklin County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

West Frankfort Old City Lake, City of West Frankfort  
 Franklin County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

White Hall City Lake, City of White Hall  
 Green County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

Wilderness Lake, Moraine Hills State Park  
 McHenry County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Wilderness Pond, Fox Ridge State Park  
 Coles County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit

William Powers Conservation Area

Cook County

(Fishing from boats during waterfowl season unlawful. Fishing from shore in areas posted as waterfowl hunting areas during waterfowl season unlawful)

Wolf Lake, William W. Powers Conservation Area

Cook County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Walleye, Sauger, or Hybrid  
 Walleye - 14" Minimum Length Limit

Woodford Co. Cons. Area (Fishing Ditch), Woodford County Conservation Area  
 Woodford County

(Unlawful to trespass upon designated waterfowl hunting areas 7 days prior to the waterfowl season and

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

on areas designated as waterfowl refugees from October 10 until the end of the waterfowl season)  
 All Fish - 2 Pole and Line Fishing Only (1)

Wyman Lake, City of Sullivan  
 Moultrie County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Trout - Spring Closed Season (11)

Yellow Creek, State of Illinois  
 Stephenson County

Trout - Spring Closed Season (11)

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: REQUIREMENTS FOR NEW STEEL AND FOUNDRY INDUSTRY WASTE LANDFILLS

- 2) Code Citation: 35 Ill. Adm. Code 817

- 3) Section Numbers: Proposed Action:

817.309 New Section

- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111½, pars. 1005, 1021.1, 1022 and 1027 [415 ILCS 5/5, 21.1, 22 and 27].

- 5) A complete Description of the Subjects and Issues Involved:

In Docket R90-26, the Illinois Cast Metals Association and the Illinois Steel Group have proposed to the Board requirements for certain non-hazardous waste landfills accepting wastes from these industries for disposal. These requirements would apply instead of those adopted in Docket R88-7, found in 35 Ill. Adm. Code Parts 807, and 810 through 815. The Board discussed the lengthy industry proposal at 17 Ill. Reg. 17659 (Oct. 15, 1993) as corrected at 17 Ill. Reg. 21878 (Dec. 17, 1993). The three year history of this rulemaking is discussed in detail in the Board's opinion in R90-26, Docket A, which is available from the address below.

As a result of concerns expressed at public hearings held October 1 and November 19, 1993, the steel and foundry industries supplied supplemental language imposing additional location restrictions for potentially usable waste landfills. The steel and foundry industries' proposed new Section 817.309 is discussed in more detail in the Board's opinion of March 31, 1994 in R90-26, Docket B, which is available from the address below.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No.

- 7) Does this rulemaking contain an automatic repeal date? No.

- 8) Does the proposed rule contain incorporations by reference? No.

- 9) Are there any other amendments pending on this Part? Yes.

Section Numbers:	Proposed Action:	Ill. Reg. Citation
817.102	Added	Oct. 15, 1993, 17 Ill. Reg. 17659 & Dec. 17, 1993, 17 Ill. Reg. 21878
817.101, 817.103	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.104, 817.105, 817.106	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.107, 817.201, 817.202	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.203, 817.204, 817.301	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.302, 817.303, 817.304	Added	Oct. 15, 1993, 17 Ill. Reg. 17659

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED RULES

Section Numbers:	Proposed Action:	Ill. Reg. Citation
817.305, 817.306, 817.307	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.308, 817.401, 817.402	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.403, 817.404, 817.405	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.406, 817.407, 817.408	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.409, 817.410, 817.411	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.412, 817.413, 817.414	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.415, 817.416, 817.417	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.418, 817.419, 817.420	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.421, 817.501	Added	Oct. 15, 1993, 17 Ill. Reg. 17659
817.Appendix A	Added	Oct. 15, 1993, 17 Ill. Reg. 17659

- 10) Statement of Statewide Policy Objectives:

The proposed amendments could require a local government to modify its activities for the disposal of non-hazardous wastes generated by the steel and foundry industries. The existing regulations at 35 Ill. Adm. Code 807 and 810 through 815 already govern the land disposal of those wastes, and the proposed amendments to this Part would constitute a relaxation of those existing requirements for the disposal of certain of those wastes. The policy objectives implemented by this proposal are found in Sections 20 and 22 of the Environmental Protection Act (Ill. Rev. Stat. 1991 ch. 111½, par. 1020 and 1022 [415 ILCS 5/20 and 22 (1992)]).

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R90-26, (B) and be addressed to:

Ms. Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
100 W. Randolph St.  
Chicago, IL 60601

Questions concerning the substance of this proposal may be addressed to Kathleen Crowley at the above address, (312)814-6929.

- 12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: March 31, 1994.

B) Types of small businesses affected:

The existing rules of 35 Ill. Adm. Code 807 and 810 through 815

POLLUTION CONTROL BOARD  
NOTICE OF PROPOSED RULES

and this proposed rule, which would ultimately amend other rules previously proposed, affect small businesses which generate, transport, treat, store or dispose of waste. The proposed rule would constitute a relaxation of the existing requirements for the disposal of certain steel and foundry industry wastes.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules of 35 Ill. Adm. Code 807 and 810 through 815 and the proposed rule, which would ultimately amend other rules previously proposed, require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records. The proposed rule would constitute a relaxation of the existing requirements for the disposal of certain steel and foundry industry wastes. However, the regulations would change or modify certain of the existing reporting, bookkeeping, or other procedures so as to increase the compliance burden in some ways and decrease it in others.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules of 35 Ill. Adm. Code 807 and 810 through 815 and the proposed rule, which would ultimately amend other rules previously proposed, may require the services of an attorney, certified public accountant, chemist and registered professional engineer. The proposed rule would constitute a relaxation of the existing requirements for the disposal of certain steel and foundry industry wastes. However, the regulations would change or modify certain of the existing professional skills necessary so as to increase the compliance burden in some ways and decrease it in others.

The full text of the proposed rules begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER I: SOLID WASTE AND SPECIAL WASTE HAULING

PART 817

REQUIREMENTS FOR NEW STEEL AND FOUNDRY INDUSTRY WASTES LANDFILLS

SUBPART C: STEEL AND FOUNDRY INDUSTRY POTENTIALLY  
USABLE WASTE LANDFILLS

Section  
817.309

Facility Location

**AUTHORITY:** Implementing Sections 5, 21, 21.1, 22, 22.17, 28.1, and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, paras. 1005, 1021, 1021.1, 1022, 1022.17, 1028.1 and 1027 [415 ILCS 5/5, 5/21, 21.1, 22, 22.17, 28.1, and 27]).

**SOURCE:** Adopted in R30-26(B) at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART C: STEEL AND FOUNDRY INDUSTRY POTENTIALLY  
USABLE WASTE LANDFILLS

Section 817.309 Facility Location

- a) No part of a unit shall be located within a setback zone established pursuant to Section 14.2 or 14.3 of the Act;
  - b) No part of a unit shall be located within the recharge zone or within 366 meters (1200 feet), vertically or horizontally, of a Class I or Class III aquifer as defined at 35 Ill. Adm. Code Part 620, unless there is a stratum between the bottom of the waste disposal unit and the top of the aquifer that meets the following minimum requirements:
    - 1) The stratum has a minimum thickness of 15.2 meters (50 feet);
    - 2) The maximum hydraulic conductivity in both the horizontal and vertical directions is no more than  $1 \times 10^{-7}$  centimeters per second, as determined by in situ borehole or equivalent tests;
    - 3) There is no indication of continuous sand or silt seams, faults, fractures or cracks within the stratum that may provide paths for migration; and
    - 4) Age dating of extracted water samples from both the aquifer and the stratum indicates that the time of travel for water percolating downward through the relatively impermeable stratum is no faster than 15.2 meters (50 feet) in 100 years.
- c) Subsection (b) shall not apply to units that accept only beneficially useable waste.

## POLLUTION CONTROL BOARD

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- d) A facility located within 152 meters (500 feet) of the right of way of a township or county road or state or interstate highway shall have its operations screened from view by a barrier of natural objects, fences, barricades, or plants no less than 2.44 meters (8 feet) in height.
- e) No part of a unit shall be located closer than 152 meters (500 feet) from an occupied dwelling, school, or hospital that was occupied on the date when the operator first applied for a permit to develop the unit or the facility containing the unit, unless the owner of such dwelling, school, or hospital provides permission to the operator, in writing, for a closer distance.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Food Stamps
- 2) Code Citation: 89 Ill. Adm. Code 121

3) Section Numbers: Proposed Action:

121.63	Amendment
121.70	Amendment
121.72	Amendment

- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 12-13) [305 ILCS 5/Art. 12-13]

5) Complete Description of the Subjects and Issues Involved:Section 121.63

To implement Federal Regulations, these proposed amendments increase both the Maximum Excess Shelter Deduction and the State Utility Standard which are used to compute a household's monthly Food Stamp allotment. The shelter cost deduction is allowed for the amount of shelter costs that exceed 50% of the household's total income after the Earned Income Deduction, the Standard Deduction and the Dependent Care Deduction have been made. This rulemaking increases the Maximum Excess Shelter Deduction to \$231.00.

In addition to the shelter costs deduction, either actual utility costs or the State Utility Standard are allowed for households that have utility expenses. Those households which are billed for heating, air conditioning or both separately from their rent or mortgage may claim the State Utility Standard. If the State Utility Standard is used, then no other utility costs may be claimed. If, however, the household's actual utility costs exceed the State Utility Standard, then actual utility costs may be claimed. This rulemaking increases the State Utility Standard to \$209.00.

Sections 121.70 and 121.72

These proposed amendments revise the Department's Food Stamp household composition policy in accordance with the provisions of the Omnibus Budget Reconciliation Act of 1993 (OBRA 93) and the Mickey Leland Childhood Hunger Prevention Act.

As a result of these proposed amendments, siblings and adult children may be granted separate household status. For children who are age 21 or younger and who live with their parents, the only factors used to determine if the child can be granted separate household status are whether or not they live with their spouse or their own children and whether or not they purchase food and prepare meals separately from their



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parents. When a child under age 18 lives with an adult who is not his or her parent, whether or not the adult exercises parental control as well as the purchasing and preparing arrangements will determine if separate household status may be granted.

These proposed amendments provide that, separate household status will not be granted to:

- 1) A child (except a foster child) who is less than 18 years of age and is under the parental control of an adult household member other than a parent, unless the child purchases food and prepares meals separately and lives with his or her own child, children or spouse.
- 2) A parent or parents and their child or children when the children are age 21 or under, unless the children purchase food and prepare meals separately and live with their own child, children or spouse.

Will these proposed amendments replace emergency amendments currently in effect? No

Does this rulemaking contain an automatic repeal date? No

Do these proposed amendments contain incorporations by reference? No

Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
121.58	Amendment	March 25, 1994 (18 Ill. Reg. 4575)
121.182	Amendment	December 27, 1993 (17 Ill. Reg. 21991)
121.182	Amendment	February 14, 1994 (18 Ill. Reg. 2178)
121.188	Amendment	December 27, 1993 (17 Ill. Reg. 21991)

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umunna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.

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Initial Regulatory Flexibility Analysis:

- A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable
- B) Types of small businesses affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

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TITLE 80: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121  
FOOD STAMPS

## SUBPART A: APPLICATION PROCEDURES

## SUBPART D: ELIGIBILITY STANDARDS

Section	
121.1	Application for Assistance
121.2	Time Limitations on the Disposition of an Application
121.3	Approval of an Application and Initial Authorization of Assistance
121.4	Denial of an Application
121.5	Client Cooperation
121.6	Emergency Assistance
121.7	Expedited Services
121.10	Interviews

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.19	Ending a Voluntary Quit Disqualification
121.20	Citizenship
121.21	Residence
121.22	Social Security Numbers
121.23	Work Registration/Participation Requirements (Repealed)
121.24	Individuals Exempt From Work Registration Requirements (Repealed)
121.25	Failure to Comply (Repealed)
121.26	Period of Disqualification (Repealed)
121.27	Voluntary Job Quit
121.28	Good Cause for Voluntary Job Quit
121.29	Exemptions from Voluntary Quit Rule

## SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.30	Unearned Income
121.31	Exempt Unearned Income
121.32	Education Benefits
121.33	Unearned Income In Kind
121.34	Lump Sum Payments and Income Tax Refunds
121.40	Earned Income
121.41	Budgeting Earned Income
121.50	Exempt Earned Income
121.51	Income from Work/Study/Training Programs
121.52	Earned Income from Roomer and Boarder
121.53	Income from Rental Property

121.54	Earned Income In-Kind
121.55	Sponsors of Aliens
121.57	Assets
121.58	Exempt Assets
121.59	Asset Disregards

Section	
121.60	Net Monthly Income Eligibility Standards
121.61	Gross Monthly Income Eligibility Standards
121.62	Income Which Must Be Annualized
121.63	Deductions From Monthly Income
121.64	Coupon Allotment

## SUBPART E: HOUSEHOLD CONCEPT

Section	
121.70	Composition of Persons Who May Be Included in the Assistance Unit
121.71	Living Arrangement
121.72	Nonhousehold Members
121.73	Ineligible Household Members
121.74	Strikers
121.75	Students
121.76	Households Receiving AFDC, SSI, Interim Assistance and/or GA - Categorical Eligibility

## SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section	
121.80	Fraud Disqualification (Renumbered)
121.81	Initiation of Administrative Fraud Hearing (Repealed)
121.82	Definition of Fraud (Renumbered)
121.83	Notification To Applicant Households (Renumbered)
121.84	Disqualification Upon Finding of Fraud (Renumbered)
121.85	Court Imposed Disqualification (Renumbered)
121.90	Monthly Reporting and Retrospective Budgeting
121.91	Monthly Reporting
121.92	Retrospective Budgeting
121.93	Direct Mail Issuance of Food Stamp Coupons
121.94	Replacement of Food Stamp Coupons
121.95	Restoration of Lost Benefits
121.96	Uses For Food Coupons
121.97	Supplemental Payments
121.98	Food Stamp Simplified Application Demonstration Project (Repealed)
121.120	Recertification of Eligibility
121.130	Residents of Shelters for Battered Women and their Children
121.135	Incorporation By Reference

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121.140 Small Group Living Arrangement Facilities and Drug/Alcoholic Treatment Centers

SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

- Section
- 121.150 Definition of Intentional Violations of the Program
- 121.151 Penalties for Intentional Violations of the Program
- 121.152 Notification To Applicant Households
- 121.153 Disqualification Upon Finding of Intentional Violation of the Program
- 121.154 Court Imposed Disqualification

SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

Persons Required to Participate  
Participation and Cooperation Requirements

- 121.160 Orientation
- 121.164 Assessment and Employability Plan
- 121.166 Job Search Component
- 121.170 Basic Education Component
- 121.172 Job Readiness Component
- 121.174 Work Experience Component
- 121.176 Job Training Component
- 121.178 Grant Diversion Component
- 121.180 Earnfare Component
- 121.182

EMERGENCY

- 121.184 Sanctions
- 121.186 Good Cause for Failure to Cooperate
- 121.188 Supportive Services
- 121.190 Conciliation and Fair Hearings
- 121.200 Types of Claims (Recodified)
- 121.201 Establishing a Claim for Intentional Violation of the Program (Recodified)
- 121.202 Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified)
- 121.203 Collecting Claim Against Households (Recodified)
- 121.204 Failure to Respond to Initial Demand Letter (Recodified)
- 121.205 Methods of Repayment of Food Stamp Claims (Recodified)
- 121.206 Determination of Monthly Allotment Reductions (Recodified)
- 121.207 Failure to Make Payment in Accordance with Repayment Schedule (Recodified)
- 121.208 Suspension and Termination of Claims (Recodified)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 12-4.4 through 12-4.6 and 12-13) [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 5804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941,



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effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 reclassified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective August 12, 1991; peremptory amendment at 15 Ill. Reg. 14134, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16221, effective October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum of 150 days; peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993; expedited correction at 17 Ill. Reg. 21216, effective October 1, 1993; amended at 18 Ill. Reg. 2033, effective January 21, 1994; emergency amendment at 18 Ill. Reg. 2509, effective January 27, 1994, for a maximum of

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150 days; amended at 18 Ill. Reg. 3427, effective February 28, 1994; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

## SUBPART D: ELIGIBILITY STANDARDS

## Section 121.63 Deductions from Monthly Income

- a) The following deductions described in this Section shall be allowed in the determination of the adjusted net monthly food stamp income. \*
  - b) a) Earned income Deduction. Eighty percent of total gross earned income is considered. (See Sections 89-111-Adm.-Code 121.40 through 121.54 for a description of earned income.)
  - c) b) Standard Deduction. The standard deduction is One-hundred-and-thirty-one-dollars-(\$131.00) per household per month.
  - d) e) Dependent Care Deduction

1) The dependent care deduction consists of payments for the care of a child or other dependent when necessary for a household member to accept or continue employment or to seek employment in compliance with the job search criteria (contained in 89 Ill. Adm. Code 112.70 through 112.73) or to attend training or pursue education which is preparatory for employment.

2) The amount of the deduction is to be determined by the actual costs for care and is not to exceed \$160.00 per month for each dependent household member.

## e) a) Shelter Costs Deduction

1) The shelter deduction is the amount of shelter shelter costs that exceed 50% of the household's total income after the allowable deductions in subsections (b), (c) and (d) above (a), (b) and (e) have been made. The shelter deduction shall not exceed \$231.00 \$207.00.

2) If the household contains a member who is elderly or disabled as defined at 7 CFR 271.2 (1990) and Section 121.61 "Grass-Monthly Income-Eligibility-Standards", there is no limit on the amount of excess shelter deduction.

3) Households in which all members are homeless but that are not

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Section 121.63(f)(1) (continued)

receiving free shelter throughout the month, are entitled to a one-hundred-and-thirty-seven-dollar-(\$137.00) per month homeless shelter costs deduction. Homeless households with shelter costs which exceed the homeless shelter costs deduction, are allowed to claim the higher shelter costs if these costs are verified. Homeless households which receive free housing and utilities throughout the month are not entitled to the homeless shelter costs deduction.

## 4) Shelter costs include only the following:

A) Continuing charges for the shelter occupied by the household (rent, mortgage, and other charges leading to the ownership of the shelter, including interest on such charges).

B) Property taxes, State and local assessments and insurance on the structure itself.

C) Utility costs as described in subsection (f) below. Costs

5) Shelter costs for a home temporarily unoccupied by the household because of employment or training away from home, illness or abandonment caused by a natural disaster or casualty loss, if the household intends to return to the home; the current occupants of the home, if any, are not claiming the shelter costs for food stamp purposes; and the home is not leased or rented during the absence of the household.

6) Charges for repair of the home which was damaged or destroyed due to a natural disaster. Shelter costs shall not include repair charges which have been or will be reimbursed by private or public relief agencies, insurance companies or any other source.

## f) Utility Costs

## 1) Utility costs include:

A) i) include the cost of heating and cooking fuel, air conditioning, electricity, water, sewerage, garbage and trash collection fees;

B) basic service fee for one telephone (including tax on the basic fee) of \$27.00; and

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Section 121.63(f)(1) (continued)

C) fees charged by the utility provider for initial installation.

2) Utility deposits are not considered to be utility costs.

3) ii) Those households which are billed for heating or air conditioning, or both, separately from their rent or mortgage may claim the standard utility allowance of \$209.00 \$198.00. Households living in rental housing who are billed on a regular basis by a landlord for costs for heating, or and/or air conditioning, or both sets may use the standard utility allowance if utility usage is determined through a meter or otherwise is verifiable or if the charge for heating, or and/or air conditioning, or both is separate and identifiable. If the standard utility allowance is used, then no other utility costs may be claimed. If actual utility costs exceed the standard utility allowance, then actual, verified costs may be claimed, except that if a separately-billed phone expense is claimed only the basic telephone allowance of \$27.00 per month is allowed. The client that maintains the same residence may not switch between the standard utility allowance and actual utility costs for a period of 12 twelve months from the time of initial certification and no more frequently than once every twelve-12 months thereafter.

4) iii) However, during the heating or cooling season, a household that is billed less often than monthly for its costs for heating, or and/or air conditioning, or both, sets but is otherwise eligible to use the standard utility allowance, may continue to use the standard utility allowance between billing months.

5) iv) Households in public housing or privately owned rental units which receive a bill for over-usage are not entitled to use the standard utility allowance. When households (as defined at 7 CFR 273.1(a)(1990)) live together, the standard utility allowance shall be divided equally among the households which contribute toward the utility costs whether or not each household participates in the program.

6) v) Households whose expense for heat, or and/or air conditioning, or both expense is covered by indirect energy assistance payments under the Illinois Home Energy Assistance Program (47 Ill. Adm. Code 100) shall be entitled to the standard utility allowance (7 CFR 273.9 and 273.10(d)(6) (1990)). The provisions of subsection (f)(3) (ii) above, are applicable to households

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## Section 121.63(f)(6) (continued)

whose expenses for heating, or ~~and/or~~ air conditioning, or both expense(s) are covered by indirect energy assistance payments.

- 7) B) Those households which are not billed separately for either heat or air conditioning are not entitled to claim the standard utility allowance but may claim the actual utility amounts for which they are billed separately, subject to the \$27.00 per month limitation for telephone expense.

- 5) ~~Shelter costs for a home temporarily unoccupied by the household because of employment or training away from home, illness or abandonment caused by a natural disaster or casualty loss, if the household intends to return to the home, the current occupants of the home, if any, are not claiming the shelter costs for food stamp purposes, and the home is not leased or rented during the absence of the household.~~

- 6) ~~Charges for repair of the home which was damaged or destroyed due to a natural disaster. Shelter costs shall not include repair charges which have been or will be reimbursed by private or public relief agencies, insurance companies or any other source.~~

- 3) e) Excess Medical Deductions. A deduction for excess medical expenses shall be allowed for households which contain an elderly or disabled member as defined at 7 CFR 271.2 (1990) and Section 121.61 "Gross Monthly Income Eligibility Standards". The medical expenses incurred by the qualifying household member which are over \$35 will be deducted if the expenses will not be reimbursed by insurance or a third party.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART E: HOUSEHOLD CONCEPT

Section 121.70 Composition of Persons Who May Be Included in the Assistance Unit

- a) The food stamp unit shall contain all members of the household. For food stamp purposes, the definition of household is:

- 1) An individual living alone;

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## Section 121.70(a) (continued)

- 2) An individual living with others but customarily purchasing food and preparing meals for home consumption separate and apart from others;

- 3) A group of individuals who live together and customarily purchase food and prepare meals together for home consumption;

- 4) An individual and the individual's ~~his/her~~ spouse (if present), who meets each of the following conditions:

- A) lives with others and is 60 years of age or older; and

- B) is unable to buy food and prepare meals because the individual suffers from either: ~~he/she suffers from~~

- i) a disability that is considered permanent under the Social Security Act (as determined by a statement from the Social Security Administration or a physician licensed under the Medical Practice Act of 1987 [225 ILCS 60] ~~and~~ ~~Rev. Stat. 1987, ch. 111, par. 4400-1 et seq.~~ or a licensed or certified psychologist licensed under the Clinical Psychologist Licensing Registration Act [225 ILCS 15] ~~and~~ ~~Rev. Stat. 1987, ch. 111, par. 5301 et seq.~~ or if the disability is obvious by observation of the caseworker, ~~for example, e.g., permanent loss of use of both hands;~~ or ~~he/she suffers from~~

- ii) a non-disease related severe, permanent disability, and if the gross non-exempt income of the other individuals with whom the elderly disabled individual (and spouse) is living with is not more than 165 percent of the poverty level. A "non-disease related severe, permanent disability" is a disability that may or may not be listed in the preamble to Section 221(i) of the Social Security Act (42 U.S.C. 421(i)), but which prevents the individual from purchasing and preparing his own meals as observed by the caseworker, or verified by a statement from a physician licensed under the Medical Practice Act of 1987 [225 ILCS 60] ~~and~~ ~~Rev. Stat. 1987, ch. 111, par. 4400-1 et seq.~~ or a licensed or certified psychologist licensed under the Clinical Psychologist Licensing Registration Act [225 ILCS 15] ~~and~~ ~~Rev. Stat. 1987, ch. 111, par. 5301 et seq.~~



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Section 121.70(a)(1) (continued)

- 1) the gross non-exempt income of the other individuals with whom the elderly disabled individual (and spouse) is living with is not more than 165 percent of the poverty level. For information on "non-exempt gross income", see Sections 121.30 through 121.34, 121.40, and 121.50 through 121.55.
- b) Separate household status shall not be granted to: in no event shall separate household status be granted to:

1) A child (except a foster child) who is less than 18 years of age and is under the parental control of an adult household member other than a parent, unless the child purchases food and prepares meals separately and lives with his or her own child or children or spouse. Any person except foster children, under 18 years of age under the parental control of an adult member of the household.

2) A parent or parents and their child or children when the children are age 21 or under, unless the children purchase food and prepare meals separately and live with their child, children or spouse. Either parents living with their children of any age or children of any age living with their parents unless:

A) at least one parent is elderly or disabled as described in Section 121.61 and is purchasing food and preparing meals separately or

B) at least one parent is an elderly disabled person as defined in subsection (a)(4) above, or

C) the child is a parent with minor children and the parent and minor children purchase and prepare meals separately from the children's grandparent(s).

3) A spouse of a member of the household; or

4) Siblings (natural, adopted, half or stepbrothers and sisters) of any age who are living together, unless at least one sibling is:

A) elderly or disabled as described in Section 121.61 and is purchasing food and preparing meals separately or

B) an elderly disabled person as described in this section or

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Section 121.70(b)(4) (continued)

C) a parent with minor children and the parent and minor children purchase and prepare meals separately from the parent's sibling.

4) 5) A boarder. Adults and children in foster care are considered boarders and are not required to be considered household members. Boarder status can be granted to children under the age of eighteen (18) who are under the parental control of an adult household member.

(Source: Amended at 18 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 121.72 Nonhousehold Members

Any of the following persons who reside with a food stamp household shall not be considered household members, but such persons may, if otherwise eligible, participate in the program as separate households:

a) Roomers--Individuals to whom a household furnishes lodging, but not meals, for compensation;

b) Live-in attendants--Individuals who reside with a household to provide medical, housekeeping, child care or other similar personal services;

c) Students who fail to meet student eligibility requirements in Section 121.75; and

d) Other--Individuals who share living quarters with the household but who do not customarily purchase food and prepare meals with the household (see Section 121.70(b) for exceptions). This does not include individuals under eighteen years of age, except foster children, who are under the parental control of a household member, siblings, a spouse of a household member, or parents and children of any age living together unless:

1) at least one parent or sibling meets the definition of a qualifying member as defined in Section 121.61 and purchases food and prepares meals separately or

2) is an elderly disabled person as defined in Section 121.70 or

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Section 121.72(d) (continued)

- 3) ~~is-a-parent-with-minor-children-living-with-a-parent-and/or sibling-and-purchases-and-prepares-meals-separately-as-defined in Section-121.70.~~

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Non-Academic Programs and Policies

- 2) Code Citation: 89 Ill. Adm. Code 830

- 3) Section Numbers: 830.150 Proposed Action: NEW

- 4) Statutory Authority: Implementing Sections 10 and 11 and authorized by Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3441, 3442, and 3434(f)) [20 ILCS 2405/10, 11 and 3f].

- 5) A Complete Description of the Subjects and Issues involved: Section 830.150 Behavior Intervention was developed to regulate and standardize the use of behavior intervention on the students at the three Department of Rehabilitation Services' schools.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? Yes X No

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives (if applicable): This is not applicable to this Rulemaking.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warner, Manager  
Regulations and Procedures Division  
Department of Rehabilitation Services  
P.O. Box 19429  
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896  
TTY: (217) 785-9301

## DEPARTMENT OF REHABILITATION SERVICES

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If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
SUBCHAPTER I: EDUCATIONAL FACILITIES

## PART 830

## NON-ACADEMIC PROGRAMS AND POLICIES

Section	
830.10	The Taking and Using of Students' Photographs
830.20	Needy Student Fund
830.30	Student Trust Fund
830.35	Student Activity Fees
830.40	Valuables
830.50	Health Services
830.60	Search and Seizure
830.70	Rights and Responsibilities of School Staff
830.80	Food and Nutrition
830.90	Safety and Sanitation
830.100	Donations
830.110	Release of Students to Authorized Individuals
830.120	Use of Motor Vehicles by Students
830.130	Student Activities Requiring Approval of Parents/Guardians
830.140	Visits to Schools
830.150	Behavior Intervention

AUTHORITY: Implementing Sections 10 and 11 and authorized by Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3441, 3442, and 3434(f)) [20 ILCS 2405/10,11 and 3f].

SOURCE: Adopted at 11 Ill. Reg. 15097, effective September 16, 1987; amended at 12 Ill. Reg. 14304, effective August 29, 1988; amended at 15 Ill. Reg. 6272, effective April 15, 1991, amended at 15 Ill. Reg. 17370, effective November 19, 1991; amended at 17 Ill. Reg. 6248, effective April 5, 1993, amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 830.150 Behavior Intervention

- a) Behavior intervention is a therapeutic measure which is to be used only to prevent a student from causing damage to property or physical harm to himself/herself or others. The following procedures shall be used, as part of a behavior modification or management program. In no event shall restraint be used to punish or discipline a student or as a convenience to staff.



## DEPARTMENT OF REHABILITATION SERVICES

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- b) Behavior intervention may include physically holding, or otherwise restricting the movement of the student's limbs, head or body. No mechanical or chemical restraint shall be permitted.

Medically prescribed or monitored procedures for the treatment of an existing physical condition or the amelioration of a physical disability, such as braces and other medical equipment, are not considered restraints. The partial or total immobilization of a student for the purpose of performing a medical/surgical procedure is not restraint.

- c) Procedures for the use of physical restraint at the DORS schools are as follows:

- 1) Physical restraint shall be employed in a humane and therapeutic manner. In no event shall restraint be used when it is medically contraindicated, (i.e. could adversely affect the health of the student).
- 2) Whenever physical restraint is used with a student whose primary communication is sign language, writing, or computer, the student shall be permitted to have his/her hands free from restraint for brief periods, except when freedom may result in physical harm to the student or others. A staff member skilled in the student's mode of communication shall be in attendance when the student's hands are free.
- 3) The student must be released from restraint as soon as possible. The use of restraint shall not exceed thirty consecutive minutes.
- 4) The person who initiates the restraint shall inform the supervisor as soon as possible and must submit a written detailed anecdotal report of the cause/conditions that called for the use of physical restraint. The report shall include the date, time, and location that the physical restraint took place. This report will be placed in the student's temporary records maintained by the school with a copy to be sent to the parent/guardian of the student.

## DEPARTMENT OF REHABILITATION SERVICES

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- d) All staff shall be trained in behavior intervention techniques, including physical restraint to prevent injury to the students. Documentation of training shall be maintained in the employee personnel files kept at each school. Employees that have not completed the training may not employ physical restraint.

DEPARTMENT OF TRANSPORTATION  
NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Minimum Safety Standards for Construction of Type I School Buses

2) Code Citation: 92 Ill. Adm. Code 440

3) Section Numbers: Proposed Action:

440.410  
440.420

Amend  
Amend

4) Statutory Authority: Implementing Article VIII of Chapter 12 and authorized by Section 12-812 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 12-800 through 12-820) [625 ILCS 5/12-800 through 12-802]

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department proposes to update the Safety Standards contained in this Part by amending Section 440.410, "Federal Requirements," to create an "Incorporation by Reference" Section. Amended Section 440.410 will incorporate by reference 49 CFR 571.100 through 571.302, effective October 1, 1992, as amended at 57 FR 49413, November 2, 1992; as amended at 57 FR 57000, December 2, 1992; and as amended at 57 FR 57020, December 2, 1992.

By incorporating these rulemakings by reference, the Department's regulations will incorporate changes made in rulemaking Dockets:

Docket No. 88-21; Notice No. 3 [57 FR 49413 (November 2, 1992)]  
Docket No. 89-26; Notice 3 [57 FR 57000 (December 2, 1992)]  
Docket No. 88-21; Notice No. 5 [57 FR 57020 (December 2, 1992)]

Docket No. 88-21: Notice No. 3 establishes requirements for minimum emergency exit space based upon the seating capacity of the bus, establishes requirements for improved access to side emergency doors and establishes requirements to improve the visibility of school bus emergency exits.

Docket No. 89-26: Notice 3 amends federal standard with respect to the field-of-view around school buses. Requires bus driver to be able to see, either directly or through mirrors, certain specified areas in front of and along both sides of school buses.

Docket No. 88-21: Notice No. 5 corrects Docket 88-21; Notice 3 to correct the formula for determining the amount of exit area which must be provided. The docket also added a table and three figures which were inadvertently omitted from Docket 88-21; Notice 3.

DEPARTMENT OF TRANSPORTATION  
NOTICE OF PROPOSED AMENDMENTS

Section 440.420(a) is being amended to include language regarding the use of a dedicated aisle adjacent to any side emergency door. The National Highway Traffic Safety Association provided discretion to the states in establishing standards for buses manufactured for use in their own states. Section 440.420(a) is amended accordingly.

Section 440.420(i)(6) is being amended to provide that only yellow retroreflective tape can be used to outline exterior emergency exits as required by 57 FR 49413, November 2, 1992.

Section 440.420(k) is being amended to describe in detail what is required in the first aid kit. The current language is vague and references a non-existent federal regulation.

Section 440.420(aa) is being amended to establish standards for flip-up seats which may be adjacent to any side emergency exit door.

Section 440.420(ff) is being amended to reflect the impact of P.A. 88-415, effective 8/20/93 which allows the Department to promulgate standards for stop signal arms on school buses manufactured prior to September 1, 1992. This rulemaking establishes standards which allow either a hexagon or an octagon-shaped semaphore on buses manufactured prior to September 1, 1992.

Finally, other minor changes are made throughout this rulemaking.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 5-75(a) of the Illinois Administrative Procedures Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking affects units of local government which own or operate Type I school buses.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

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By U.S. Mail:

Ms. Cathy Allen  
Regulations Unit  
Illinois Department of Transportation  
Division of Traffic Safety  
P. O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1135

By Messenger or Inter-Agency Mail:

DOT Annex Building  
3215 Executive Park Drive  
Commercial Vehicle Safety; 3rd Floor  
Springfield, Illinois

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation, Room 300  
Springfield, Illinois 62764  
Phone (217) 782-3215

Comments received within forty-five days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: This rulemaking affects small businesses which own, operate or manufacture Type I school buses.
- B) Reporting, bookkeeping or other procedures required for compliance: No new or additional procedures are required for compliance with this rulemaking.
- C) Types of professional skills necessary for compliance: No new or additional professional skills are necessary for compliance.

The full text of the Proposed Amendments begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF TRANSPORTATION  
NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 440  
MINIMUM SAFETY STANDARDS FOR CONSTRUCTION  
OF TYPE I SCHOOL BUSES

SUBPART A: INTRODUCTION

Section	Order
440.10	Guidelines
440.20	Responsibilities
440.30	

SUBPART B: GENERAL

Section	Purpose
440.110	Scope
440.120	Applicability
440.130	Effective Date
440.140	Quantified Requirements
440.150	

SUBPART C: DEFINITIONS

Section	Dictionary Used
440.205	Federal Definitions
440.210	State Definitions
440.220	

SUBPART D: CERTIFICATION

Section	Certification by Manufacturer
440.305	Federal Standards
440.310	State Standards
440.320	

SUBPART E: BODY REQUIREMENTS

Section	Conformance to the Requirements
440.405	Federal-Requirements Incorporation by Reference of Federal
440.410	Motor Vehicle Safety Standards
440.420	State Requirements



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## SUBPART F: CHASSIS REQUIREMENTS

Section  
440.505 Conformance to the Requirements  
440.510 Federal Requirements  
440.520 State Requirements

440. ILLUSTRATION A Hexagon Shaped Stop Signal Arm  
440. ILLUSTRATION B Octagon Shaped Stop Signal Arm  
440. APPENDIX A Federal Motor Vehicle Safety Standards (FMVSS) and Related Regulations  
440. APPENDIX B First Aid Kit Requirements (Referred to in Section 440.420(k))  
440. APPENDIX C Specification Sheet Reflective Material -- Encapsulated Lens (Based on FHWA Notice N 5040.17, June 15, 1976)

AUTHORITY: Implementing Article VIII of Chapter 12 and authorized by Section 12-812 of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 12-800 through 820) [625 ILCS 5/12-800 through 820].

SOURCE: Filed June 20, 1977; amended at 6 Ill. Reg. 7147, effective June 2, 1982; codified at 8 Ill. Reg. 15502; amended at 11 Ill. Reg. 15947, effective September 21, 1987; amended at 12 Ill. Reg. 8463, effective May 3, 1988; amended at 16 Ill. Reg. 1655, effective January 14, 1992; amended at 17 Ill. Reg. 3530, effective March 2, 1993; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: Capitalization denotes statutory language.

## SUBPART E: BODY REQUIREMENTS

## Section 440.410 Federal Requirements Incorporation by Reference of Federal Motor Vehicle Safety Standards

Each bus body shall conform to the applicable provisions of Federal Motor Vehicle Safety Standards (FMVSS) 101, 103, 104, 107, 108, 111, 112, 113, 124, 205, 207, 208, 209, 210, 213, 217, 219, 220, 221, 222, 301, 75, and 302 in effect on the first day of the month shown in the statement referred to in Section 440.305. Availability and summary descriptions of the federal certification regulations and the applicable FMVSS are in Appendix A.

Each bus body must conform to the applicable provisions of the Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571.100 through 571.302). Those applicable provisions of the FMVSS are incorporated by reference as that Subpart of the FMVSS was in effect on October 1, 1992, as amended at 57 FR

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49413, November 2, 1992; as amended at 57 FR 57000, December 2, 1992; and as amended at 57 FR 57020, December 2, 1992. No later amendments to or editions of 49 CFR 571.100 through 571.302 are incorporated.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 440.420 State Requirements

EXCEPT FOR MIRRORS, WHICH MAY PROJECT 153 MM (6") BEYOND EACH SIDE OF THE BUS, A SCHOOL BUS SHALL NOT EXCEED 2.44 M (8 FEET) IN WIDTH, 4.12 M (13 FEET 6 INCHES) IN HEIGHT, NOR 12.81 M (42 FEET) IN LENGTH (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 15-102, 15-103 and 15-107). However, a new bus will not be considered in nonconformance with these standards and will not be rejected in a "safety test" because one or more signal, clearance, parking, or driving lamps, mirror frames or supports, bumpers, rub rails, flexible portions of fender skirts or splash guards, or other safety devices extend beyond the above stated limits as necessary to perform their safety function properly; provided, such extension does not present a "snagging", sharp, or abrupt surface constituting an unwarranted hazard to a pedestrian. Each bus body shall be constructed so as to preclude road splash, road dust, or the bus engine's fumes or gas entering either the driver, passenger, or service entrance space through any joint, crack, hole, or opening other than an opened door or window. In addition, various portions of the bus body shall conform to the requirements set forth under the following paragraphs.

- a) Aisle. An aisle, easily negotiated ("easily negotiated" means that an aisle meets the dimension requirements set forth in this subsection from front of bus to back of bus) and free of tripping hazards ("tripping hazards" are tears, wrinkles and other imperfections in the floor covering material, or the floor itself causing the walking surface to be uneven), shall extend from the forward edge of the service entrance stairway to the emergency door in the rear of the bus or, when such door is absent, to the forward edge of the rearmost seat. This aisle shall be no less than 305 mm (12") wide at every location between floor covering and the top of each seat cushion and, in a bus manufactured in July 1987 or later, shall be no less than 380 mm (15") wide at and above a level 50 mm (2") below the top of any seat back on a non-handicapped student's seat. At least 1.75m (68.9") floor-to-ceiling height shall be provided above the entire required width of this aisle between the forward edge of the rearmost seat and the forward edge of the service entrance stairway. A dedicated aisle which conforms to 49 CFR 571.217 (as amended at 57 FR 49413, November 2, 1992 and as amended at 57 FR 57020, December 2, 1992) may be adjacent to any side emergency door.

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- b) Battery. Either one battery or two or more suitably connected batteries may be installed.
- 1) When rated in conformance with SAE Standard J537h the battery(s) shall provide a current flow for engine cranking no less than the engine manufacturer's recommended Cold Cranking Current (amperes for 30 seconds) at -18° C (0° F) or, at the purchaser's option, at -29° C (-20° F).
- 2) When rated in conformance with SAE Standard J537h the battery(s) shall provide a Reserve Capacity (duration of 25 ampere current flow) at 27° C (80° F) no less than 135 minutes.
- AGENCY NOTE: If the purchaser needs to provide for extended cold weather bus operation immediately after malfunction or failure of the battery charging equipment he should specify battery reserve capacity, and temperature, commensurate with the temperature and duration of extended operation needed.
- c) Battery Carrier. When the battery is mounted outside the engine compartment it shall be attached securely in a closed, weather-tight, and vented compartment that is located and arranged so as to provide for convenient routine servicing. The battery compartment door, or cover, shall be secured by an adequate manually operated latch(es) or other fastener(s). Each electrical cable connecting the battery(s) in this carrier to the body or chassis shall be one-piece between the battery terminal connector and the first body or chassis terminal connector.
- d) Bumper, Rear. The rear bumper shall be of channel type cross section with the top edge at least 225 mm (8.9") above the bottom edge, shall be formed from rolled steel at least 4.55 mm (.18") thick, and shall wrap around the rear corners of the body to a point at least 300 mm (11.8") forward of the rearmost point of the body at floor line. The rear bumper shall be attached to the chassis frame with provisions for removal by means of commonly available hand tools and the prevention of hitching-to or riding thereon. The rear bumper shall be of sufficient strength to permit the bus being pushed by another vehicle without permanent distortion.
- e) Capacity, Passenger. THE RATED PASSENGER CAPACITY OF THE BUS SHALL BE THE SAME AS THE NUMBER OF 330 MM (13") WIDE PROTECTED,

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- CONVALESCENT, OR HANDICAPPED PASSENGER SEATING SPACES EITHER INSTALLED OR PROVIDED FOR IN THE BUS (111. Rev. Stat. 1989, ch. 95 1/2, par. 12-802). Examples: A seat 990 mm (39") in width provides 3 passenger spaces; A seat 985 mm (38.8") in width provides 2 passenger spaces; A device resembling a seat but less than 330 mm (13") in width would not provide a passenger space. Neither a space not conforming to FMVSS 222 nor the driver's space shall be counted as a passenger space, except that any suitable space for transporting a convalescent or handicapped passenger shall be counted as a passenger space when computing passenger capacity.
- f) Certificate and Registration Card Holder. At least 1 card holder with a transparent face no less than 150 mm by 100 mm (5.9" by 3.9") shall be securely affixed to the inside header panel out of the students' easy reach.
- g) Color and Paint, Exterior. Except where otherwise specified, or allowed, the exterior of the bus shall be National School Bus Chrome Yellow (Federal Standard No. 595a, glossy chrome yellow enamel No. 13432).
- 1) Bumpers, wheels, rub rails, and body trim (if used) shall be black (Federal Standard No. 595a, glossy black enamel No. 170381).
- 2) Hood top may be either lusterless black, (595a, 37038) or lusterless chrome yellow.
- AGENCY NOTE: To be certain of glare reduction, a purchaser should specify a lusterless paint.
- 3) Cowl top may be same finish as hood top.
- 4) Hub caps (if supplied) and those grilles located forward of the engine may be a bright or light finish such as chrome, aluminum, white, etc.
- h) Defrosters. Defrosting equipment shall be installed so as to help keep the window to the left of the driver and the glass in the service door clear of fog or frost. This defrosting equipment shall conform to those FMVSS 103 performance requirements that are applicable to school bus windshields.
- i) Emergency Exits. The following requirements apply to emergency exit doors and emergency exit windows.

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- 1) A black arrow, curved or straight, at least 150 mm (5.9") in length and 15 mm (.6") in width, showing the direction each outside emergency exit release mechanism is to be moved to open the emergency exit, shall be painted or permanently affixed on the outside yellow portion of the bus within 150 mm (5.9") of each release mechanism.
- 2) An arrow showing the direction each inside emergency exit release mechanism is to be moved to open the emergency exit shall be painted or permanently affixed inside the bus within 150 mm (5.9") of each emergency exit release mechanism. Each inside arrow shall contrast with its background and, where suitable space is limited, may be smaller than the outside arrow(s) but must be conspicuous.
- 3) An audible and visible alarm shall be provided which will alert the driver when the engine is running and an emergency exit is locked and cannot be opened quickly and solely by operating the inside or outside emergency exit release mechanism(s) in accordance with the arrow(s) and instruction provided adjacent to the release mechanism(s).
- 4) An audible and visible alarm shall be provided which will alert the driver when the engine is running and either an emergency exit window, located within 460 mm (18.1") of the seating surface of a passenger seat, or an emergency exit door is released; i.e., "unlatched".
- 5) An alarm disconnect, "squench control", or other alarm defeating or attenuating device shall not be installed.
- 6) For buses manufactured on or after May 2, 1994, each opening for a required emergency exit must be outlined around its outside perimeter with a minimum 1 inch (2.54 cm) wide yellow retroreflective tape. This yellow retroreflective tape must be on the exterior surface of the bus and conform to all requirements of 49 CFR 571.217 (as amended at 57 FR 49413, November 2, 1992 and as amended at 57 FR 57020, December 2, 1992).

j) Fire extinguisher (Optional).

AGENCY NOTE: At least one fire extinguisher MUST be carried in each school bus transporting pupils but the purchaser may elect to install an extinguisher ~~he-ows~~ which conforms to the above requirements below after the bus is purchased.

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The fire extinguisher, ~~if installed in the bus,~~ shall be of the dry chemical type, with pressure gauge, mounted in a quick-release bracket of automotive type located in view of and readily accessible to the driver, except when carried in the locked compartment authorized under Section 440.420(k), below. The fire extinguisher shall be of a type approved by the Underwriters' Laboratories, Inc., with a rating not less than 10-BC. The operating mechanism shall be sealed with a type of seal that will not interfere with the use of the fire extinguisher.

k) First-Aid Kit (Optional).

- 1) The first-aid kit, if installed in the bus, shall be readily identifiable and readily accessible to the driver. ~~If this kit is not to be carried in the locked compartment authorized under Section 440.420(k), below, it must be in view of the driver.~~

AGENCY NOTE: ~~A first-aid kit MUST be carried in each school bus transporting pupils but the purchaser may elect to install a kit he-ows which conforms to Section 440.420(k)(2), below, except longer lengths and fewer packages of bandage may be used.~~

- 2) The first-aid kit shall conform to Section 393.96(e) of the Federal Motor Carrier Safety Regulations in title 49 of the Code of Federal Regulations (49 CFR 393.96) except the contents, which shall be as shown in 440.420(k)(2), q-v.

AGENCY NOTE: A first aid kit must be carried in each school bus transporting pupils but the owner may elect to install a kit which conforms to this subsection after the bus is purchased.

- 1) The first aid kit must be readily identifiable and readily accessible to the driver. If the kit is not carried in the locked compartment as authorized in Section 440.420(k)(2), it must be in view of the driver.

- 2) The first aid kit must include, but is not limited to, the following:

- A) 4" bandage compress - 2 packages
- B) 2" bandage compress - 2 packages



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- C) 1" bandage or adhesive compress - 1 package
- D) 40" triangle bandage with two safety pins - 1
- E) Splint, wire or wood - 1
- 3) A tourniquet or any type of ointment, antiseptic or other medicine cannot be included.

## 1) Floor Covering.

- 1) All portions of the floor that come in contact with passengers' or driver's footwear shall be covered with a waterproof material. This floor covering shall not crack when subjected to sudden temperature change and shall be bonded securely to the floor with a waterproof substance. All seams and openings shall be filled with a waterproof sealer.
- 2) The floor covering in the aisles and entrance area shall be of ribbed, non-skid, wear-resistance type material commonly used in commercial passenger transportation vehicles.

- m) Fuel System. Neither a fuel tank nor a fuel tube, pipe, or hose, may be installed within 300 mm (11.8") of the left exterior surface of a bus with GVWR 10,000 pounds, or less, unless such tank, tube, pipe, or hose either is located wholly inboard the left of the chassis frame (or equivalent structural member) or is installed in a bus conforming to S6.2, S6.3, and S6.4 in FMVSS 301-75 (49 CFR 571.301-75). A bus with GVWR 10,000 pounds, or less, constructed of an incomplete vehicle manufactured before September 1, 1977, shall be deemed not conforming to S6.2, S6.3, and S6.4 in FMVSS 301-75 unless the label required under Section 440.310, states the bus (vehicle) conforms to FMVSS in effect September 1, 1977 (9 77) or the manufacturer furnishes a separate certification which states the bus conforms to S6.2, S6.3, and S6.4 in FMVSS 301-75. This separate certification shall be lettered and affixed in the same manner and location as the label required in Section 440.320.

## n) Glazing Materials.

- 1) A) Laminated safety glass is optional on Type I school buses. All applicable provisions of FMVSS 205 apply to the optional laminated safety glass and also to

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any plastic material(s) used in multiple-glazed unit, including meeting the pertinent tests indicated below, which are specified in ANSI Standard Z26.1-1966 (R 1973), Z26.1a-1969, and are grouped in Table No. 1 of that Standard. Glazing shall be identified as shown below.

Glazing installed Shall meet tests Shall bear one of the following in: grouped in Z26.1 Table No. 1 under: identification markings:

Windshield	Item 1, either laminated glass or multiple glazed unit;	AS 1 Glass;
Window or door forward of rear-most location of driver's seat back	Item 1 or 2, either laminated glass or multiple glazed unit;	AS 1 Glass or AS 2 Glass;
All Other locations	Item 1, 2 or 3, either laminated glass or multiple glazed unit.	AS 1 Glass, or AS 2 Glass, or AS 3 Glass.

B) In addition, any exposed plastic layer of a multiple glazed unit shall be identified in conformance with FMVSS 205.

2) All glazing shall be installed so the identification markings are legible.

o) Heaters.

1) An inside temperature of not less than 10 degrees Celsius (50° F) shall be maintained throughout the bus while the bus is moving at 75 kilometers per hour (46.6 miles per hour) in calm air at the average minimum January temperature, as established by the Weather Bureau, U.S. Department of Commerce, for the area in which the bus is to be operated.

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- 2) Each heater shall bear a nameplate which shall identify the heater manufacturer and state the heater capacity rating when tested as recommended in SAE Recommended Practice J638, or when tested in accordance with other nationally recognized standard or code. The recommended practice, standard, or code under which the heater is rated shall be identified on the nameplate. Such nameplate shall constitute certification by the heater manufacturer that the heater performance is as shown on the plate.
- 3) Heater hoses shall be supported so as to prevent wear due to vibration. The hoses shall not dangle or rub against the chassis or sharp edges and shall neither interfere with nor restrict the operation of any engine function (such as an emission or ignition control mechanism). Heater hoses shall be protected or baffled between the point at which they enter the passenger compartment and the point of attachment to the heater so that, in the event of hose rupture or disconnection, passengers and or driver will not be subject to hot water burns.
- q) Heater Hose Connections at Engine. Each heater hose connection to the engine shall include a shutoff valve located as close to the engine as practical. Such connection and valve shall not interfere with any engine function whether closed, partially open, or fully open, with heater hoses installed properly.
- q) Interior.
- 1) Thermal and acoustic material(s) shall be installed in the ceiling and the sides of the body to reduce heat transfer and the interior noise level.
- 2) The passenger compartment of the bus, including the ceiling, shall be free of any visible or concealed projections likely to cause injury. Exposed lapped joints shall be connected and or treated to reduce likelihood of injury from exposed edges. Materials or components in the passenger compartment shall be free of any sharp corner or projections or shall be padded so as to make injury unlikely.
- r) Lamps and Signals.
- 1) For informational purposes, pertinent requirements established by certain statutes and rules follow.

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- A) WHENEVER A SCHOOL BUS IS OPERATED FOR THE PURPOSE OF TRANSPORTING PASSENGERS OTHER THAN PERSONS IN CONNECTION WITH AN ACTIVITY OF THE SCHOOL OR RELIGIOUS ORGANIZATION WHICH OWNS THE SCHOOL BUS OR FOR WHICH THE SCHOOL BUS IS OPERATED, THE ... SIGNAL ARM AND FLASHING SIGNAL SYSTEM SHALL NOT BE OPERABLE THROUGH NORMAL CONTROLS. (Ill. Rev. Stat. 19899], ch. 95 1/2, par. 12-806)
- B)
- i) (Not pertinent)
- ii) THE STOP SIGNAL ARM ... SHALL BE EXTENDED AFTER THE SCHOOL BUS HAS COME TO A COMPLETE STOP FOR THE PURPOSE OF LOADING OR DISCHARGING PUPILS AND SHALL BE CLOSED BEFORE STARTING OUT AGAIN. THE STOP SIGNAL ARM SHALL NOT BE EXTENDED AT ANY OTHER TIME.
- iii) THE ALTERNATELY FLASHING RED SIGNAL LAMPS ... SHALL BE ACTUATED AFTER THE SCHOOL BUS HAS COME TO A COMPLETE STOP FOR THE PURPOSE OF LOADING OR DISCHARGING PUPILS AND SHALL BE TURNED OFF BEFORE STARTING OUT AGAIN. THE RED SIGNAL LAMPS SHALL NOT BE ACTUATED AT ANY OTHER TIME.
- iv) THE ALTERNATELY FLASHING AMBER SIGNAL LAMPS ... SHALL BE ACTUATED CONTINUOUSLY DURING NOT LESS THAN THE LAST 100 FEET TRAVELED BY THE BUS BEFORE STOPPING FOR THE PURPOSE OF LOADING OR DISCHARGING PUPILS WITHIN A BUSINESS OR RESIDENTIAL DISTRICT AND DURING NOT LESS THAN THE LAST 200 FEET TRAVELED BY THE BUS OUTSIDE A BUSINESS OR RESIDENTIAL DISTRICT. THE AMBER SIGNAL LAMPS SHALL REMAIN ACTUATED UNTIL THE BUS IS STOPPED. THE AMBER SIGNAL LAMPS SHALL NOT BE ACTUATED AT ANY OTHER TIME. (Ill. Rev. Stat. 19899], ch. 95 1/2, par. 11-1414)
- C) THE DRIVER OF A SCHOOL BUS CARRYING ANY SCHOOL CHILD IS REQUIRED TO STOP, LISTEN, AND LOOK BEFORE CROSSING ANY RAILROAD, EXCEPT WHERE CERTAIN TRAFFIC CONTROLS ARE PRESENT. (Ill. Rev. Stat. 19899], ch. 95 1/2, par. 11-1202) However, the State's Rules and Regulations for Operating A School Bus (which are enforced in conjunction with State-aid for public

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pupil transportation operations) require such driver to stop at railroad crossings (no exceptions), open door to the right, listen, and look in both directions before crossing.

- 2) Alternately Flashing Signal Lamps. Each bus shall be equipped with an 8 lamp alternately flashing signal system that conforms to S4.1.4.(b) of FMVSS 108 (49 CFR 571.108) and provides for compliance with the Illinois Statutes quoted above. A separate circuit breaker and a master switch shall be provided for this signal system. When in its "off" position, this master switch shall prevent operation of the 8 lamp system; shall prevent operation of any lamps mounted on the stop signal arm required under Section 440.420(ff); and shall prevent operation of any electrically controlled mechanism that would cause the stop signal arm to extend. The controls for the 8 lamp flashing signals, the stop signal arm, and the service entrance door shall be arranged so as to provide for the following sequence of operations while the engine is running:

- A) Place the alternately flashing signal system master switch in its "off" position. Close and secure the service entrance door. Actuate the alternately flashing signal system hand or foot control. The alternately flashing signal lamps of either yellow (amber) or red color shall not go on.
- B) With the master switch "off" and the hand or foot control actuated, open the service door. The alternately flashing signals of either color shall not go on and the stop signal arm shall not extend.
- C) Deactivate the hand or foot control. Place the alternately flashing signal system master switch in its "on" position. Close and secure the service door. Then open the service door. The alternately flashing signal lamps of either color shall not go on and the stop signal arm shall not extend.
- D) Close and secure the service door. Actuate the alternately flashing signal system by hand or foot control. A yellow pilot lamp in the view of the driver and the yellow alternately flashing signals shall go on.

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- E) Desecure but do not open the service door. The yellow pilot and the yellow alternately flashing signals shall go off. A red pilot lamp in the view of the driver and the red alternately flashing signals shall go on. The stop signal arm shall extend.
- F) Fully open the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.
- G) Close but do not secure the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.
- H) Open the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.
- I) Close and secure the service door. The red pilot and red signals shall go off and the stop arm shall retract.
- J) Open the service door. Alternately flashing signals of either color shall not go on and the stop arm shall not extend.
- 3) Rear Turn Signals. Yellow turn signal lamps shall be mounted on the rear as far apart as practical and as high as practical but below the rear window. The effective projected illuminated area of these turn signal lamps shall be no less than required for the yellow alternately flashing signal lamps required under Section 440.420(r)(2), above; i.e., .0122 m<sup>2</sup> (19in.<sup>2</sup>).
- 4) Stop Signals. Red stop lamps shall be mounted on the rear as far apart as practical but closer to the vertical centerline of the bus than the rear turn signal lamps required under Section 440.420(r)(3), and at the same height as those turn signal lamps. The effective projected illuminated area of these stop lamps shall be no less than required for the red alternately flashing signal lamps required under Section 440.420(r)(2); i.e., .0122 m<sup>2</sup> (19in.<sup>2</sup>).
- 5) Side Turn Signals. Two yellow side turn signal lamps conforming to SAE Recommended Practice J914a, August 1973, shall be installed on each bus of more than 32 passenger



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seating capacity. Except as indicated below, this Recommended Practice shall be read as setting forth mandatory requirements. The lamps shall be "armored" and mounted on the body between the rub rails required under Section 440.420(z). The right lamp shall be within 1 m (39.4") of the rear of the service entrance but, on a forward control bus, not forward of the front axle. The left lamp shall be approximately the same distance from the front bumper as the right lamp.

- 6) Interior Lighting. At least the white nosings of the service entrance steps (Section 440.420(cc)(3)), the floor around the stepwell, the entire aisle, and each emergency door and emergency exit shall be illuminated by lamp(s) emitting a white light. At least 2 interior illumination lamps shall be installed in a bus that provides 330 mm (13") of seating width for each of 33 or more passengers. At least the nosings of the service entrance steps and the floor around the stepwell shall be illuminated automatically by opening of the service door. No lamp shall be installed at or near the eye level of a pupil moving through the service entranceway to the aisle unless such lamp does not shine directly into the eye(s) of any such pupil.

s)

## Lettering.

- 1) General. Except where otherwise required or allowed, lettering on the outside of the body shall be black against a National School Bus Chrome Yellow background. All required letters and numerals shall conform to Series "B", or heavier series, of the Standard Alphabets for Highway Signs issued by the Federal Highway Administration, Washington, D.C. 20591. Decals may be used instead of paint. Signs, numbers, or letterings, other than those either required by statutes or required or permitted by these standards shall not be affixed permanently on either the outside of the bus or the inside of glazing so as to be visible to the outside. Inside lettering shall contrast with its background.

- 2) The words "SCHOOL BUS" shall be displayed against a National School Bus Chrome Yellow background as high as practical and approximately centered on the front and rear of the bus body, in letters at least 200 mm (8") high. These words may be painted on or applied to the bus body or displayed on a sign firmly attached to or built into the body. The

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background of an illuminated sign shall approximate the National School Bus Chrome Yellow color as closely as feasible.

- 3) A school bus identification number, supplied by the purchaser, shall be displayed as high as practical on the front and rear of the bus in numerals not less than 100 mm (4") high. Such number may be displayed on the sides of the bus as specified by the purchaser.

- 4) The name of the bus owner and or the entity (such as school authority) for which the bus is operated shall be displayed on the right and left sides of the body, approximately centered and as high as practical below the window line, in letters at least 100 mm (4") high.

- 5) The body and or chassis manufacturer's name, emblem, or other identification may be displayed, colorless or in any color, on any unglazed surface of the bus so as not to be mistaken for the name required in Section 440.420(s)(4), and so as not to interfere with any required letters or numerals.

- 6) The words "EMPTY WEIGHT", or the abbreviation "EMPTY WT.", or the letters "E.W.", followed by the empty weight of the bus (Section 440.220), stated in pounds ~~and newtons~~, shall be displayed on the outside of the body near the rear edge of the service entrance in numerals and letters at least 50 mm (2") high.

Examples: EMPTY WEIGHT 16,800 lb E.W. 16,800 lb  
74,730-N 74,730N

AGENCY NOTE:--While undergoing a safety test (as required in Section 13-101 of the IVC) the bus must generate a braking force equal to at least 60 percent of its empty weight. The SI empty weight (force of gravity--N)--corresponds to the U.S. customary empty weight (force of gravity--lb)--used when computing the minimum braking force to be generated.

- 7) The word "CAPACITY", or the abbreviation "CAP.", and the rated passenger capacity (Section 440.420(e) above) followed by the word "PASSENGERS", or the abbreviation "PASS.", shall be displayed on the outside of the body near the rear edge of the service entranceway, and on the inside above the right portion of the windshield, in numerals and letters at least 50 mm (2") high.

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- 8) The words "NO STANDEES" shall be displayed inside above the windshield, approximately opposite the aisle but to the right of the mirror and sun visor, in letters at least 50 mm (2") high.
- 9) The words "EMERGENCY DOOR" or "EMERGENCY EXIT" may be displayed, inside or outside the bus, on a separate colorless background (such as white, aluminum, or silver) that extends no more than 15 mm (.6") above or below the words and no more than 25 mm (1") to the right or left of the words. The words "NO STANDEES" and or the capacity (Section 440.420[s][7]) may be so displayed on the inside only.
- t) Locked Compartment (Optional). If specified by the purchaser, a lockable compartment may be installed for storage of fire extinguisher, first-aid kit, warning devices, wheel chocks, or other items.
  - 1) The compartment locking device shall be connected with an automatic audible and visible alarm that will alert the driver when the engine is running and the compartment is locked. No alarm disconnect, "squench control", or other alarm defeating mechanism shall be installed.
  - 2) A red cross, formed of 5 equal squares, and the words "FIRST-AID KIT" shall be displayed on the compartment door, or cover, if the first-aid kit is to be carried in the locked compartment.
  - 3) The words "FIRE EXTINGUISHER" shall be displayed on the compartment door, or cover, if the fire extinguisher is to be carried in the locked compartment.
- u) Metal Treatment.
  - 1) Unless excluded below, all steel or iron used in construction of the bus body and attached equipment shall be either resistant to atmospheric corrosion, or zinc coated, or treated by equivalent process. Particular attention shall be given to each fastener or attaching device, lapped surface, welded connection or fastening, cut edge, punched or drilled hole, surface subjected to abrasion, closed or box section, and any unvented or undrained area or space. The number of unvented or undrained areas or spaces is to be minimized. Excluded are door handles, grab handles, and interior decorative parts.

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- 2) As evidence that above requirements have been met, a sample of fastener, material, or section of body, coated or finished as installed in the bus, when subjected to a 1,000-hour salt spray test in accordance with Standard ANSI Z118.1-1974 "Method of Salt Spray (Fog) Testing" (ASTM B 117-73) shall not exhibit more than 10 percent reduction in weight after all adherent corrosion products are removed.
- v) Mirrors. Mirrors located inside or outside the bus shall be firmly supported, shall be adjustable, and shall afford the seated driver a clear, stable, reflected view.
  - 1) At least one interior mirror shall be installed so as to afford the seated driver a view of the bus interior as well as portions of the roadway to the rear of the bus. The mirror(s) shall be of clear glass, shall have an overall reflecting surface at least 150 mm (5.9") by 760 mm (29.9"), and shall be framed, with rounded corners and padded edges.
  - 2) An outside convex mirror shall be installed on the right side so as to afford the seated driver a reflected view of the roadway along the right side of the bus from at least the rearward surface of the rear bumper to at least the forwardmost surface of the right front tire. The projected reflecting area of this convex mirror shall be no less than .028 m<sup>2</sup> (43.4 in.<sup>2</sup>).
  - 3) An outside convex mirror shall be installed on the left side so as to afford the seated driver a reflected view of the roadway along the left side of the bus from at least the rearward surface of the rear bumper to at least the front edge of the driver's seat in its most forward position.
  - 4) If any seated driver of a forward control bus does not have a view of the front bumper and the roadway in front of the bus, a convex mirror shall be installed so as to afford such seated driver a reflected view of the front bumper and the roadway in front of the bus.
- 5) More convex mirrors than required above may be installed, if specified by the purchaser.

AGENCY NOTE: FMVSS 111 requires a crossview mirror on "conventional" school buses but not on forward control buses.

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- 6) Each convex mirror shall be mounted so as not to reduce the rectangular reflecting area of any flat outside mirror below .0323 m<sup>2</sup> (50 in.<sup>2</sup>).
- 7) The average radius of curvature of each convex mirror shall be as long as practical, so as to provide for the required or desired view with as little distortion as feasible.
- 8) The reflecting surface on the back of each mirror shall be protected from abrasion, scratching, and atmospheric corrosion.

w) Mounting of Body. This subsection does not apply to an integral type bus.

- 1) After the date of manufacture of the incomplete vehicle the chassis frame shall not be altered so as to extend the wheelbase. Other extension(s) of the chassis frame may be accomplished only by the incomplete vehicle, intermediate, or final-stage manufacturer or by an agent of such manufacturer properly instructed and authorized by such manufacturer to make such extension(s).
  - 2) Insulating material shall be placed at all mounting points between the body and chassis frame. This material shall be at least 5 mm (.2") thick, may have the quality of the sidewall of an automobile tire, and shall be so secured that it will not move, vibrate, or "crawl" out of place during normal operations.
  - 3) The body front shall be attached and sealed to the chassis cowl so as to prevent the entry of water, dust, or fumes through the joint between the chassis cowl and the body.
- x) Rack, Book. Not permissible.
- y) Reflectors, Front. TWO YELLOW (AMBER) REFLECTORS ARE REQUIRED TO BE INSTALLED SO AS TO INDICATE EITHER OR BOTH OF THE OUTER EDGES OF THE BUS TO A DRIVER APPROACHING THE FRONT OF THE UNLIGHTED BUS BETWEEN SUNSET AND SUNRISE. (Ill. Rev. Stat. 1989<sup>1</sup>, ch. 95 1/2, par. 12-202)

- 1) Two yellow front reflectors, either prismatic or sheet (tape), shall be installed between 380 mm and 1525mm (15" & 60") above the roadway on either the fenders, the cowl, or the body as far apart as practical but with no part of the

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reflecting surface more than 300 mm (11.8") inboard of the maximum width of the bus at and including the rub rails required under Section 440.420(z), below.

- 2) A prismatic reflex reflector, if installed, shall meet the performance requirements of FMVSS 108 and be installed with its front face essentially vertical and facing no more than 11.3 degrees outboard of forward.
- 3) Sheet or tape, if installed, shall be of reflex reflective material conforming to the specification in 440-Appendix C. The forward projected area of such reflector shall be no less than .005 m<sup>2</sup> (8 in.<sup>2</sup>).

z) Rub Rails.

- 1) Rub rails of longitudinally corrugated or ribbed steel at least 100 mm (3.9") wide shall be fixed on the outside of the bus.
- 2) There shall be one rub rail located approximately at seat level which shall extend from the rear of the service entrance completely around the bus body without interruption, except at a rear emergency door or a rear compartment, to a point of curvature near the front of the body on the left side.
- 3) There shall be one rub rail on each side located approximately at floor line which shall extend over the same longitudinal distance as the rub rail required under Section 440.420(z)(2), above, except:

- A) This rub rail need not extend across a wheel housing, and
  - B) This rub rail may terminate at the radii of the right and left rear corners of the body.
- 4) Each rub rail required above shall be fastened to the bus body so as to attain at least 60 percent of the tensile strength of the weakest joined material, when strained in a direction parallel to the length of the rub rail.
  - 5) Each joint in a rub rail required above shall be constructed so as to attain at least 60 percent of the tensile strength of a jointless length of rub rail, when strained in a direction parallel to the length of the rub rail.



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- 6) More than 2 rub rails may be installed on a side and or the rear of a bus.

aa) Seating. Each seat and each barrier are required to conform to Federal Motor Vehicle Safety Standards (FMVSS). See Sections 440.10 and 440.Appendix A.

- 1) Seat, Driver's. The driver's seat shall be rigidly positioned, and shall afford both vertical and fore-and-aft adjustments of not less than 100 mm (3.9"), without the use of a tool or other non-attached device. The shortest distance between the steering wheel and the back rest of the operator's seat shall be no less than 280 mm (11").

## 2) Seats, Students'.

- A) In a bus manufactured in July 1987 or later:

- i) Each non-handicapped student's seat shall be constructed so that the shortest straight-line distance from top of seat back to empty seat cushion is 28" when measured near the transverse center of the seat at the front of the seat back and along the angle of rearward inclination of the seat back. Since the height of a seat back is difficult to measure precisely on a repeatable basis, a measurement of 27.5" or more is deemed acceptable.

- B) ii) Each non-handicapped student's seat shall be forward facing.

- B) A flip-up seat may be located only immediately adjacent to any side emergency door. The flip-up seat must conform to the following:

- i) The seat must be designed so that, when in the folded position, the seat cushion is flat against the seat back to prevent a child's limb from becoming lodged between the seat cushion and seat back.

- ii) The seat must be designed to discourage a child from standing on the seat cushion when in the folded position.

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- iii) The working mechanism under the seat must be covered to eliminate any tripping hazard.

- iv) All sharp metal edges on the seat must be padded to prevent any snagging hazard.

- v) No portion of a seat frame or seat bottom may extend past door opening.

- vi) No portion of the door latch mechanism can be obstructed by a seat.

- vii) There must be at least 11.7 inches (30 cm) measured from the door opening to the seat back in front.

- 3) Barriers, Students'. In a bus manufactured in January 1988 or later, the vertical distance from the floor covering to the top of a barrier positioned in front of a student's seat (as required by FMVSS, [see Section 440.APPENDIX A, Standard No. 222]) shall measure not less than the vertical distance from the floor covering to the top of the seat back on the non-handicapped student's seat installed behind that barrier.

- 4) In the case of a seat to be occupied by a handicapped student, the seat back, forward facing, and barrier requirements of subsections (aa)(2) and (3) shall be changed only as necessary to meet the needs of the handicapped student (e.g., seat missing to accommodate wheelchair, hard surfaced stretcher installed to accommodate child who is not capable of sitting in an upright position).

- bb) Seatbelt(s), Driver's. Each driver's seatbelt assembly shall be arranged so that all portions of the assembly remain above the floor when not in use. Any retractor(s) installed shall be of the automatic locking type.

- cc) Service Entrance and Door.

- 1) The service entrance shall be located on the right side near the front, in unobstructed and convenient view of the driver. The service entrance shall have a minimum vertical opening of 1.7 m (67") and a minimum horizontal opening of 610 mm (24").

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- 2) A steel grab handle not less than 250 mm (9.8") in length shall be firmly attached in an unobstructed location inside the entrance way.
- 3) The bottom step in the entranceway shall not extend beyond the outside of the body. With all seats empty, the bottom step shall be not less than 300 mm (11.8") and not more than 400 mm (15.7") from the roadway. At least 2 steps shall be provided. The steps shall be enclosed. Risers shall be approximately equal. Each step, including the floor at the top riser, shall be surfaced with a nonskid material with a 40 mm (1.6") to 80 mm (3.1") white nosing as an integral piece.
- 4) The service door shall be either manually or power operated by the seated driver. When in the closed and secured position, the door operating mechanism shall prevent accidental opening but shall afford prompt release and opening by the driver. No exposed parts of a door operating mechanism shall come together so as to shear or crush finger(s). The vertical closing edge(s) of a service door shall be padded to lessen chance of injury.
- 5) A power operated door shall be equipped for emergency manual operation in case of power failure. Instructions for emergency operation of a power operated door shall be affixed permanently on the inside of the door in letters at least 12 mm (.5") high.
- 6) A single-section service door shall be hinged at the front of the service entrance.
- 7) Glazed panels shall be installed in the service door to afford the driver a view of small children outside the door, traffic signs, and intersecting roadways. The bottom of the lowest glazed panel(s) in the door shall be no higher than 900 mm (35.4") from the roadway when all seats are empty. The top of the upper glazed panel(s) shall be no more than 150 mm (5.9") below the top of the door.
- 8) Service Door Lock (Optional). If ordered by the purchaser, a lock may be installed on or at the service door. Any type service door locking system installed in the bus shall conform to at least one of the following requirements.

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- A) Requirement 1: A locking system shall not be capable of preventing the seated bus driver from easily and quickly opening the service door.
- B) Requirement 2: A locking system that is capable of preventing the seated bus driver from easily and quickly opening the service door shall include an audible and visible alarm to alert the driver when the engine is running and the service door is locked. No alarm disconnect, "squench control", or other alarm defeating or attenuating device shall be installed.
- C) Requirement 3: A locking system shall not be capable of preventing the seated bus driver from easily and quickly opening the service door except when, and only when, a person outside the bus uses a key that is not capable of locking more than one of at least 1000 of the door manufacturer's key locking systems.
- dd) Steering Wheel Clearance. The rim grip of the steering wheel shall have at least 50 mm (2") clearance in all directions, except at the spokes.
- ee) Steps, Body Front. On each side at the front of the body at least one grab handle and recessed foothold or folding stirrup step shall be installed so as to provide easy access to the windshield for cleaning purposes.
- ff) Stop Signal Arm.
  - 1) EACH SCHOOL BUS SHALL BE EQUIPPED WITH A STOP SIGNAL ARM ON THE DRIVER'S SIDE OF THE SCHOOL BUS WHICH MAY BE OPERATED EITHER MANUALLY OR MECHANICALLY.
  - 2) FOR ANY SCHOOL BUS WITH A MODEL YEAR PRIOR TO 1984, THE ARM SHALL BE A HEXAGON-SHAPED SEMAPHORE APPROXIMATELY 18 INCHES WIDE AND 18 INCHES LONG AND OF 16-GAUGE METAL---STOP---SHALL BE PAINTED ON BOTH SIDES IN WHITE LETTERS AT LEAST SIX INCHES HIGH WITH A BRUSH-STROKE APPROXIMATELY 7-8 INCH WIDE AND ON A RED BACKGROUND APPROXIMATELY EIGHT INCHES X 16 INCHES---DECALS MAY BE USED INSTEAD OF PAINTING THE REMAINING AREA OF THE STOP SIGNAL ARM SHALL BE PAINTED WHITE AND SHALL EITHER BE REFLECTORIZED OR SHALL HAVE TWO DOUBLE-FACED LAMPS WITH PLAIN RED LENS APPROXIMATELY FOUR INCHES IN DIAMETER LOCATED

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ONE-AT-THE-TOPMOST-AND-ONE-AT-THE-BOTTOMMOST POSITION-OF-THE-ARM;-SUCH-LAMPS-SHALL-LIGHT-AND FLASH-WHEN-THE-ARM-IS-EXTENDED-AND-SHALL-TURN-OFF AND-STOP-FLASHING-WHEN-THE-ARM-IS-CLOSED.-(111, Rev. Stat. 1989, ch. 95-1-2, par. 12-803)

B) For any school bus with a model year after 1983 but manufactured prior to September 1, 1992, the arm can either be a hexagon or an octagon shaped semaphore. The arm must conform to all other provisions listed in subsection (f)(1)(A).

C) For any school bus manufactured on and after September 1, 1992, the arm must be an octagon-shaped semaphore which conforms to 49 CFR 571.131-656-FR-20363, May 3, 1991. No later amendments to or editions of 49 CFR 571.131 are incorporated.

1) A stop signal arm must be installed on the left side of the bus and may be operated either manually or mechanically. Decals may be used in lieu of painting. Strobe lamps are acceptable on stop signal arms.

A) For any school bus manufactured on and after September 1, 1992 the arm must be an octagon-shaped semaphore which conforms to 49 CFR 571.131 (October 1, 1992). No later amendments to or editions of 49 CFR 571.131 are incorporated.

B) Buses manufactured prior to September 1, 1992 may either be equipped with an octagon-shaped semaphore which meets the requirements listed in subsection ff(1)(A) or a hexagon-shaped semaphore which meets the requirements listed in subsection ff(1)(C).

C) Hexagon - The arm shall be a hexagon-shaped semaphore approximately 18 inches wide and 18 inches long and of 16 gauge metal. The stop signal arm shall have the word "STOP" painted on both sides in white letters at least six inches high with a brush stroke approximately 1/8 inch wide. The word "STOP" shall be painted on a panel with red background of approximately 8 inches by 16 inches. The remaining area of the stop arm blade is to be painted white with a band of white border at least 1/2 inch wide painted front and rear on both sides as contrast. The white

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portion of the stop signal arm shall be reflectorized or shall have double-faced lamps with red lens approximately four inches in diameter located in the top and bottommost position of the blade. These lamps shall light and flash alternately when the stop arm is extended and likewise turn off and stop flashing when the arm is closed.

2) "Operated ... mechanically" shall be interpreted to include power operation. Also, "16-gauge metal" shall be interpreted to include thicker metal and any nonmetallic material equivalent or superior to hot rolled 16-gauge mild steel in stiffness, corrosion resistance, and durability.

3) Section 440. Illustration A depicts the hexagon shaped semaphore referenced in subsection (ff)(1)(AC). Section 440. Illustration B depicts the octagon shaped semaphore referenced in subsection (ff)(1)(EA).

4) When demonstrating conformance with signal operating requirements by performing the sequence of operations specified under Section 440.420(r)(2), the driver, or operator, may employ any independent or manual operation or disconnection of the stop signal arm that is provided for convenient use by the seated driver without using any type of tool and without removing any unattached part.

gg) Storage Compartment(s) (Optional).

1) If installed, the storage compartment(s) shall be fire-resistant and of adequate strength and capacity for the storage of the items to be carried, such as tire chains, tow chains, tools for roadside or minor repairs, school activity equipment, etc. The compartment(s) shall provide reasonable security for the contents and shall be constructed and installed so as to preclude passenger injury due to the compartment(s) or the contents becoming dislodged when the bus is subjected to the maximum possible braking force and to minimize chances of such injury when the bus is subjected to a collision impact.

2) If a relatively small storage compartment is located inside the passenger compartment, seat cushion(s) alone may not serve as the cover for the compartment.

hh) Sun Visor. An interior, adjustable, transparent, tinted sun visor not less than 150 mm (5.9") high by 760 mm (29.9") wide shall be



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so installed that it can be turned up and will remain up when not in use. It may be supported so that it can be moved for use on the driver's left, but when used in front of the driver and in a position approximately parallel to the windshield it shall be supported at or near each of its ends so as to minimize its vibration.

- ii) Tow Hook, Rear (Optional). Any tow hook(s) installed on the rear shall be attached or braced to the chassis frame, or to an equivalent structural member of an integral type bus. A tow hook may not extend beyond the rear face of the rear bumper.

- jj) Undercoating. The underside of the body, including floor members and the side panels below the floor, shall be coated with a fire-resistant undercoating material applied by the spray method so as to seal, insulate, reduce corrosion, and reduce interior noise. Non-metallic components need not be coated.

- kk) Ventilation. The body shall be equipped with a controlled ventilation system of sufficient capacity to maintain a satisfactory ratio of outside to inside air under cool and cold operating conditions without opening of windows. With a powered ventilation system, air outlet openings shall be located, sized, and manufactured so that, with doors and windows closed, a positive pressure is maintained in the driver and passenger spaces, to lessen chances of dangerous gas entering such spaces. Fresh air inlet(s) shall be located so as to minimize entrance of either dangerous engine gas or obnoxious engine fumes.

- ll) Warning Devices ~~(Optional)~~. Emergency warning devices supplied with the bus shall consist of 3 bi-directional, fluorescent-reflective, day-night, triangular warning devices that conform to FMVSS 125.

AGENCY NOTE: A school bus must carry warning devices when on the public roads, but the bus purchaser may elect to install ~~older-used~~ warning devices that are in serviceable condition and that conform to ~~Section 12-702-of-IVC~~ IVC 11. Rev. Stat. 1991, ch. 95 1/2, par. 12-702 [625 ILCS 5/12-702], and to school bus safety test requirements.

- mm) Weight Distribution and Gross Weight. Storage or cargo spaces, if installed, and seats shall be located so that when the bus is fully loaded as specified or advertised by the manufacturer the loads exerted on the roadway will exceed neither a tire load rating, nor a gross axle weight rating, nor the gross vehicle

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weight rating indicated by the data displayed on the label permanently affixed in compliance with Section 440.310.

- nn) Wheel Housings.

- 1) Each wheel housing opening shall allow for unimpeded wheel and tire service or removal.

- 2) Each rear wheel housing shall provide the clearance recommended in SAE Information Report J683a, July 1966, for installation and use of tire chains on the dual or single tires installed on the rear wheels.

- oo)

Windows or Glazed Panels, Rear. Glazed panels, or windows, shall be installed in the rear of the bus so as to afford the seated driver a reflected view through the rear of the bus as wide and as high as practical without unduly weakening or increasing the cost of the body structure. Such view shall be as low as allowed by the back(s) of the rear seat(s) except that, when the aisle required under Section 440.420(a), extends to a rear emergency door, an additional lower glazed panel shall be installed to afford the driver an additional view through such panel at least the width of the required aisle and as low and high as practical. Any authorized or required sign(s), letters, or numerals displayed on the glazing in the rear of the bus shall be wholly located at least 1.12 m (44.1") above the floor; provided, however, the glazing identification markings required under Section 440.420(n)(2), may be displayed at lower levels.

- pp)

Window Openings, Side. The following subparagraphs do not apply to a window or glazed panel installed forward of a front passenger seat, and are optional for a window installed either beside a rear passenger seat, or in a side emergency exit.

- 1) By sliding downwards each side window not excluded above shall provide an opening (for emergency egress) at least 560 mm (22") wide (fore & aft) and at least 230 mm (9") high. However, with the window in its lowest position the opening shall be at least 460 mm (18.1") above the seating surface of any passenger seat. Any latch located in the side window opening shall be recessed. Each such opening shall be free of outside or inside window guard(s) or bar(s). Split-sash windows may be installed. Each exposed edge of glass shall be banded.

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- 2) A horizontal "Stop Line" shall be affixed permanently across the stationary structure between each of the windows that can be opened by sliding downwards. The bottom of the line shall be between 150 mm and 155 mm (5.9" and 6.1") below the top of the window opening. The line shall contrast with the color of the stationary structure and be at least 5 mm (.2") wide.

## qq) Windshield.

- 1) The windshield shall be large enough to permit the operator to see the highway clearly, and shall be curved or slanted to reduce glare. The front cornerposts and other supports shall be shaped and located so as to cause as little obstruction to the driver's view of the highway as practical.

- 2) The windshield shall have a graduated glazing shade band across the top. The definition and boundary of this shade band shall be as recommended in SAE Recommended Practice J100, July 1969.

## rr) Wiring.

- 1) All wiring for lamps and other electrical devices shall be as recommended for automobiles, motor coaches, and heavy duty starting motor circuits in SAE Recommended Practices J556, J555a, and J541a and in other practices or standards referenced therein, unless preempted by FMVSS.

- 2) A) Wiring shall be arranged in at least nine regular circuits as follows:
- i) Head, tail, stop (brake), and instrument panel lamps;
  - ii) Clearance lamps and any lamps in or adjacent to step risers;
  - iii) Interior lamps;
  - iv) Starter motor;
  - v) Ignition, emergency exit alarm signal(s), and other alarm signal(s);

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- vi) Turn signal lamps;
  - vii) Alternately flashing signal lamps and stop signal arm lamps;
  - viii) Horn;
  - ix) Heater and defroster.
- B) Any of the above combination circuits, except (vii), may be divided into independent circuits. Whenever feasible, all other electrical functions (sanders, windshield wipers, heaters, defrosters, etc.) shall be provided with independent and properly protected circuits.

- 3) Each body circuit shall be coded either by numeral(s) and or letter(s) at approximately 100 mm (3.9") intervals, or by color and numeral(s) and or letter(s), or by color(s) only. The code(s) shall appear on a diagram of the circuits in a readily accessible location.

- 4) A separate fuse or circuit breaker shall be provided for at least each circuit required under Section 440.420(rr)(2)(A), except that components of the engine starter and ignition circuits may be protected by other means.

- 5) Wires not enclosed within the body shall be fastened securely at intervals of not more than 460 mm (18.1").

- 6) All terminals and splice clips shall be accessible.

- 7) The chassis manufacturer shall install a readily accessible electrical terminal so that the net body and chassis electrical current flow can be indicated through a chassis ammeter without dismantling or disassembling the chassis component. The chassis wiring to this terminal shall have a current carrying capacity at least equal to the maximum generator output.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

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- 1) Heading of Part: Minimum Safety Standards for Construction of Type II School Buses

- 2) Code Citation: 92 Ill. Adm. Code 442

- 3) Section Numbers:

442.130	<u>Proposed Action</u>
442.205	Amend
442.230	Amend
442.270	Amend
442.285	Amend
442.710	Amend

- 4) Statutory Authority: Implementing Article VIII of Chapter 12 and authorized by Section 12-812 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 12-800 through 12-820) [625 ILCS 5/12-800 through 12-820]

- 5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department proposes to update the safety standards contained in this Part to include federal rulemakings which affect this Part. Section 442.130, "Federal Requirements" is amended to correctly incorporate by reference the Federal Motor Vehicle Safety Standards and their revisions.

Since November 1992, the National Highway Traffic Safety Administration (NHTSA) has promulgated a number of rulemakings governing the construction of new school buses. Generally, the Department will incorporate those federal standards by reference at 49 CFR 571.100 through 571.302 as of October 1, 1992, as amended by 57 FR 49413, November 2, 1992; 57 FR 57000, December 2, 1992; as amended at 57 FR 57020, December 2, 1992. However, NHTSA has provided the states with some discretion in establishing standards for buses manufactured for use in their states. Following are the Department's policies regarding these discretionary issues.

- 1) Section 442.205 "Aisle" is being amended to reflect the Department's approval of a dedicated aisle adjacent to any side emergency door.
- 2) Section 442.230 "Emergency Exits and Door Alarms" is being amended to allow only yellow retroreflective tape when outlining each required emergency exit. This retroreflective tape is required by NHTSA's final rule at 57 FR 49413, November 2, 1992.

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- 3) Section 442.270 "Seating" is being amended to establish standards for flip-up seats.

Section 442.285, "Stop Signal Arm" is being amended to reflect the impact of P.A. 88-415, which allows the Department to promulgate standards for stop signal arms on school buses manufactured prior to September 1, 1992. This rulemaking establishes standards which allow either a hexagon or an octagon-shaped semaphore on buses manufactured prior to September 1, 1992.

Section 442.710, "First-Aid Kit" is being amended to delete references made to the commercial type first aid kit. The commercial type kit is not used by the industry and does not need to be included.

- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? Yes  
These conform to Section 5-75(a) of the Illinois Administrative Procedure Act.

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking affects units of local government which own or operate Type II school buses.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Catherine Allen  
Illinois Department of Transportation  
Division of Traffic Safety  
Regulations and Training Unit  
P. O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

By Messenger or Inter-Agency Mail:

DOT Annex Building



DEPARTMENT OF TRANSPORTATION  
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3215 Executive Park Drive  
Planning and Program Support Section; 3rd Floor  
Springfield

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation, Room 300  
Springfield, Illinois 62764  
Phone (217) 782-3215

Comments received within forty-five days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: This rulemaking affects small businesses which own, operate or manufacture Type II school buses.
- B) Reporting, bookkeeping or other procedures required for compliance: No new or additional procedures are required for compliance with this rulemaking.
- C) Types of professional skills necessary for compliance: No new or additional professional skills are necessary for compliance with this rulemaking.

The full text of this Proposed Amendment begins on the next page:

DEPARTMENT OF TRANSPORTATION  
NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 442  
MINIMUM SAFETY STANDARDS FOR CONSTRUCTION  
OF TYPE II SCHOOL BUSES

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Scope  
Definitions  
Federal Requirements

SUBPART B: CONSTRUCTION OF BODY

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Aisle  
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Emergency Exits and Door Alarms (See FMVSS)  
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Air Cleaner  
Axles  
Brakes  
Bumpers, Front and Rear  
Drive Shaft  
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Frame  
Fuel Tank  
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Fire Extinguishers (Purchaser's Option)  
First-Aid Kit (Purchaser's Option)  
Warning Devices for Disabled Vehicle (Purchaser's Option)  
  
Hexagon Shaped Stop Signal Arm  
Federal Motor Vehicle Safety Standards (FMVSS) and Related Rules  
Specification Sheet for Reflective Material -- June 15, 1976 (Repealed)  
Encapsulated Lens (Based on FHWA Notice N 5040.17, June 15, 1976) (Repealed)  
Sheeting and Tape, Reflective: Nonexposed Lens  
Octagon Shaped Stop Signal Arm

442. APPENDIX A  
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442. APPENDIX D  
442. APPENDIX E

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AUTHORITY: Implementing Article VIII of Chapter 12 of, and authorized by Section 12-812 of, the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 12-800 through 820) [625 ILCS 5/12-800 through 820].

SOURCE: Adopted at 2 Ill. Reg. 45, p.115, effective November 10, 1978; codified at 8 Ill. Reg. 15002; amended at 8 Ill. Reg. 15505, effective August 10, 1984; amended 12 Ill. Reg. 4220, effective February 9, 1988; amended at 16 Ill. Reg. 1685, effective January 14, 1992; amended at 17 Ill. Reg. 3540, effective March 2, 1993; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: Capitalization denotes statutory language.

## SUBPART A: GENERAL

## Section 442.130 Federal Requirements

a) FMVSS---Federal Motor Vehicle Safety Standards;---Each bus shall conform to the applicable provisions of the FMVSS shown below.

Standard No.	Title
101	Control Location, Identification, and Illumination
102	Transmission-Shift-Lever-Sequence, Starter Interlock and Transmission-Braking Effect
103	Windshield-Defrosting and Defogging Systems
104	Windshield-Wiping and Washing Systems
105	75-Hydraulic Brake Systems
106	Hydraulic Brake Hoses
107	Reflecting or "Shiny" Surfaces
108	Lamps, Reflective Devices, and Associated Equipment, including Alternately Flashing Signal Lamps
111	Rearview Mirrors and Cross-View Mirror
112	Headlamp Concealment Devices
113	Hood Latch Systems

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- 12) 116-Hydraulic-Brake-Fluids
- 13) 119-New-Pneumatic-Tires
- 14) 120-Tire-Selection-and-Rims
- 15) 121-Air-Brake-Systems
- 16) 124-Accelerator-Control-Systems
- 17) 205-Glazing-Materials
- 18) 207-Seating-Systems-(222-also-applies)
- 19) 208-Occupant-Crash-Protection-(222-also-applies)
- 20) 209-Seat-Belt-Assemblies
- 21) 210-Seat-Belt-Assembly-Anchorage
- 22) 213-Child-Seating-Systems
- 23) 217-Bus-Window-Retention-and-Release-and-Emergency-Exits
- 24) 219-Windshield-Zone-Intrusion-(Buses-10,000-lb.-or-less GVWR)
- 25) 220-School-Bus-Rollover-Protection
- 26) 221-School-Bus-Body-Joint-Strength-(Buses-more-than-10,000 lb.-GVWR)
- 27) 222-School-Bus-Passenger-Seating-&Crash-Protection, including-Passenger-Seat-Belts-(10,000-lb.-or-less)-and Padding-(all-sizes)
- 28) 301-Fuel-System-Integrity
- 29) 302-Flammability-of-Interior-Materials
- a) Each school bus must conform to the applicable provisions of the Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571.100 through 571.302). Those applicable provisions of the FMVSS are incorporated by reference as that Subpart of the FMVSS was in effect on October 1, 1992, as amended at 57 FR 49413, November 2, 1992; as amended at 57 FR 57000, December 2, 1992; and as amended

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at 57 FR 57020, December 2, 1992. No later amendments to or editions of 49 CFR 571.100 through 571.302 are incorporated.

- b) Federal Certification: The manufacturer, and all incomplete vehicle and intermediate manufacturers, shall comply with the applicable provisions of part 567 "Certification", and Part 568 "Vehicles Manufactured in Two or More Stages", in 49 CFR 567 & 568, including the permanent affixing of a label in conformance with the above mentioned Federal regulations. This label constitutes the manufacturer's certification to all persons and organizations that the bus conforms to all applicable provisions of the Federal Motor Vehicle Safety Standards. (49 CFR 571)
- c) Availability and Summary: Availability and summary descriptions of the Federal certification regulations and the applicable FMVSS are in Appendix B.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART B: CONSTRUCTION OF BODY

## Section 442.205 Aisle

- a) Minimum clearance of all aisles, including the aisle (or passageway) leading to an emergency door in the rear, shall be 12 inches.
- b) A dedicated aisle which conforms to 49 CFR 571.217 (as amended at 57 FR 49413, November 2, 1993 and as amended at 57 FR 57020, December 2, 1992) may be adjacent to any side emergency door.

(Source: Amended at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 442.230 Emergency Exits and Door Alarms (See FMVSS)

- a) Each emergency exit shall be equipped with an opening device which may be quickly released but which is designed to offer protection against accidental release.
- b) The emergency door shall be equipped with an electrical switch connected to an audible signal automatically operated and either located in the driver's compartment or audible to the seated driver when all passenger seats are filled with noisy pupils. The audible signal shall indicate the unlatching of this door. No cutoff switch "squelch" control shall be installed in the



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- c) circuit. The switch shall be enclosed to prevent tampering. Wires leading from the switch shall be concealed in the body.
- The installation of a lock on the emergency or service door shall include an audiovisual alarm, without cutoff switch or "squelch" control in its circuit, to indicate to the seated driver when the door is in the locked position while the ignition switch is in the "on" position; however, the audiovisual alarm for the SERVICE door service door is OPTIONAL optional when:

- 1) The locking systems is not capable of preventing the seated bus driver from easily and quickly opening the service door; or
- 2) The locking system is not capable of preventing the seated bus driver from easily and quickly opening the service door except (and ONLY when) a person outside the bus uses a key that is not capable of locking more than one of at least 1000 of the door manufacturer's key locking systems.

- d) On a van conversion, any rear cargo door inside lock(s) of the type installed by the chassis manufacturer, (such as commonly used in cars -- "push" "pull" type) shall be made inoperable. In doing so, assure that the mechanism cannot, through jarring, vibration, etc., cause the door to become locked and be inoperable from the inside or outside.

- e) A black arrow, curved or straight, at least 5.9" in length and 0.6" in width, showing the direction each outside emergency exit release mechanism is to be moved to open the emergency exit, shall be painted or permanently affixed on the outside yellow portion of the bus within 5.9" of each release mechanism. This does not apply to a "push" or "pull" mechanism where the direction of movement to open cannot be shown by one arrow.

- f) An arrow showing the direction each inside emergency exit release mechanism is to be moved to pen the emergency exit, shall be painted or permanently affixed inside the bus within 5.9" of each emergency exit release mechanism. Each inside arrow shall contrast with its background and, where suitable space is limited, may be smaller than the outside arrow(s) but must be conspicuous. This does not apply to a "push" or "pull" mechanism where the direction of movement to open cannot be shown by one arrow.

- g) In the case of a "push" or "pull" type type of release mechanism where the direction of movement to pen the emergency exit cannot

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be shown by one arrow, either three or four straight arrows shall be placed as equally spaced as practicable around the object to be pushed or pulled, with the head of each arrow adjacent to and pointing directly at that object. Each arrow shall be the same color and, insofar as practicable, the same size as though it were a single arrow required under Section 442.230(e) or (f). In addition, the pertinent work "PUSH" or "PULL" shall be displayed near that object.

- h) For buses manufactured on or after May 2, 1994, each opening for a required emergency exit must be outlined around its outside perimeter with a minimum 1 inch (2.54 cm) wide yellow retroreflective tape. This yellow retroreflective tape must be on the exterior surface of the bus and conform to all requirements of 49 CFR 571.217 (as amended at 57 FR 49413, November 2, 1992 and as amended at 57 FR 57020, December 2, 1992).

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 442.270 Seating

See FMVSS also Section 442. Appendix B (Federal Motor Vehicle Safety Standards (FMVSS) and Related Rules.

- a) No bus shall be equipped with "jump" or portable seats.
- b) The driver's seat shall be rigidly positioned and have a fore-and-aft adjustment without the use of tools or other nonattached devices.
- c) A flip-up seat for passengers may be located only immediately adjacent to any side emergency door. The flip-up seat must conform to the following:
  - 1) The seat must be designed so that, when in the folded position, the seat cushion is flat against the seat back to prevent a child's limb from becoming lodged between the seat cushion and seat back.
  - 2) The seat must be designed to discourage a child from standing on the seat cushion when in the folded position.
  - 3) The working mechanism under the seat must be covered to eliminate any tripping hazard.
  - 4) All sharp metal edges on the seat must be padded to prevent any snagging hazard.

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- 5) No portion of a seat frame or seat bottom may extend past door opening.
- 6) No portion of the door latch mechanism can be obstructed by a seat.
- 7) There must be at least 11.7 inches (30 cm) measured from the door opening to the seat back in front.

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 442.285 Stop Signal Arm

- a) EACH SCHOOL BUS SHALL BE EQUIPPED WITH A STOP SIGNAL ARM ON THE DRIVER'S SIDE OF THE SCHOOL BUS WHICH MAY BE OPERATED EITHER MANUALLY OR MECHANICALLY.

1) FOR ANY SCHOOL BUS WITH A MODEL YEAR PRIOR TO 1984, THE ARM SHALL BE A HEXAGON-SHAPED SEMAPHORE APPROXIMATELY 18 INCHES WIDE AND 18 INCHES LONG AND OF 16-GAUGE METAL. "STOP" SHALL BE PAINTED ON BOTH SIDES IN WHITE LETTERS AT LEAST SIX INCHES HIGH WITH A BRUSH-STROKE APPROXIMATELY 7-8 INCH WIDE AND ON A RED BACKGROUND APPROXIMATELY EIGHT INCHES X 16 INCHES. DECALS MAY BE USED INSTEAD OF PAINTING. THE REMAINING AREA OF THE STOP SIGNAL ARM SHALL BE PAINTED WHITE AND SHALL EITHER BE REFLECTORIZED OR SHALL HAVE TWO DOUBLE-FACED LAMPS WITH PLAIN, RED LENS APPROXIMATELY FOUR INCHES IN DIAMETER LOCATED ONE AT THE TOPMOST AND ONE AT THE BOTTOMMOST POSITION OF THE ARM. SUCH LAMPS SHALL LIGHT AND FLASH WHEN THE ARM IS EXTENDED AND SHALL TURN OFF AND STOP FLASHING WHEN THE ARM IS CLOSED. (Ill. Rev. Stat., 1989, ch. 95-1-2, par. 12-803)

- 2) For any school bus with a model year after 1983 but manufactured prior to September 1, 1992, the arm can either be a hexagon or an octagon-shaped semaphore. The arm must conform to all other provisions listed in subsection (a)(1).

- 3) For any school bus manufactured on and after September 1, 1992, the arm must be an octagon-shaped semaphore which conforms to 49 CFR 571.131 (56 FR 20363, May 3, 1991). No later amendments to or editions of 49 CFR 571.131 are incorporated.

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- a) A stop signal arm must be installed on the left side of the bus and may be operated either manually or mechanically. Decals may be used in lieu of painting. Strobe lamps are acceptable on stop signal arms.

- 1) For any school bus manufactured on and after September 1, 1992 the arm must be an octagon-shaped semaphore which conforms to 49 CFR 571.131 (October 1, 1992). No later amendments to or editions of 49 CFR 571.131 are incorporated.

- 2) Buses manufactured prior to September 1, 1992 may either be equipped with an octagon-shaped semaphore which meets the requirements listed in subsection (a)(1) of this Section or a hexagon-shaped semaphore which meets the requirements listed in subsection (a)(3) of this Section.

- 3) Hexagon - The arm shall be a hexagon-shaped semaphore approximately 18 inches wide and 18 inches long and of 16 gauge metal. The signal arm shall have the word "STOP" painted on both sides in white letters at least six inches high with a brush stroke approximately 7/8 inch wide. The word "STOP" shall be painted on a panel with red background of approximately 8 inches by 16 inches. The remaining area of the stop arm blade is to be painted white with a band of white border at least 1/2 inch wide painted front and rear on both sides as contrast. The white portion of the stop signal arm shall be reflectorized or shall have double-faced lamps with red lens approximately four inches in diameter located in the top and bottommost position of the blade. These lamps shall light and flash alternately when the stop arm is extended and likewise turn off and stop flashing when the arm is closed.

- b) "Operated ... mechanically" shall be interpreted to include power operation. Also, "16-gauge metal" shall be interpreted to include thicker metal and any nonmetallic material equivalent or superior in stiffness, corrosion resistance, and durability to hot rolled 16-gauge mild steel.

- c) Section 442. Appendix A depicts the hexagon-shaped semaphore referenced in subsection (a)(3). Section 442. Appendix E depicts the octagon-shaped semaphore referenced in subsection (a)(31).

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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Section 442.710 First-Aid Kit (Purchaser's Option)

a) The bus shall either carry or provide for a first-aid kit, removable and readily identifiable and mounted in full view in an accessible place in the driver's compartment.

b) Contents of Kit: The kit shall not contain a tourniquet or any type of medicine. The kit shall contain at least the items specified below, in at least the specified quantities, in either of the two types of kits:

1) Unit Type - Minimum Contents

- A) 4" bandage compress.....\*2 packages
- B) 2" bandage compress.....\*2 packages
- C) 1" adhesive compress.....1 package
- D) 40" triangular bandage with two safety pins.....1 package
- Wire or wood splint.....1 package

OR

2) Commercial Type--Minimum Contents

- A) 3"-x-3"-sterile-gauze-pads.....\*3 packages-of-10  
Gauze-bandages-2"-x-5-yds.....\*10 packages
- B) 3-4"-adhesive-compress.....package-of-10  
or-more
- C) 1"-x-2-1-2-yds-adhesive-tape.....\*1 roll
- D) 40"-triangular-bandage-with-two safety-pins.....1-package
- E) Wire-or-wood-splint.....1-package
- F) Scissors.....t

\*Maybe longer or wider

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AGENCY NOTE: A first-aid kit MUST be carried in each school bus transporting pupils but the purchaser may elect to install his own first-aid kit which conforms to this Section.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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1) Heading of Part: Minimum Safety Standards for Construction of School Buses used in Special Education Transportation

2) Code Citation: 92 Ill. Adm. Code 444

3) Section Numbers:

444.5	Add
444.10	Amend
444.15	Add
444.20	Amend

Proposed Action

4) Statutory Authority: Implementing and authorized by Article VIII of Chapter 12 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 12-800 through 12-820) [625 ILCS 5/12-800 through 12-820]

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department proposes to update this Part to incorporate by reference recent federal rulemakings which have affected the safety standards for school buses used for special education transportation. This update also includes policy changes which were necessary to clarify and improve the Part.

On January 15, 1993, the National Highway Traffic Safety Administration (NHTSA) issued a final rule at 58 FR 4586 applicable to school buses which are used to transport persons in wheelchairs. 58 FR 4586 establishes standards for wheelchair securement devices and occupant restraint systems to meet specified performance requirements. The final rule provides a level of occupant protection for students in wheelchairs as comparable to that provided to persons able to use standard bench seats as is practicable.

Following is a Section-by-Section analysis of the revisions to this Part.

Section 444.5, "Definitions" is being added in order to define new and old terms.

Section 444.10, "General Requirements" is being amended to generally describe and clarify the requirements for special transportation, including the new federal standards. NHTSA did allow for general exceptions to the final rule in order to meet the unique needs of some special education students. The Department addresses the exceptions by stating that a student's Individualized Education Program will always dictate what is necessary for an individual child.

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Section 444.15, "Incorporation by Reference of Federal Motor Vehicle Safety Standards" is being added to establish the incorporation by reference of new federal standards at 58 FR 4586, January 15, 1993 and at 58 FR 46873, September 3, 1993.

Section 444.20 "Special Equipment" is being renamed and amended to clearly establish standards for wheelchair occupant restraints and wheelchair securement devices. Buses manufactured on or after the effective date of the final rule at January 17, 1994 must comply with the new federal standards. Buses manufactured prior to the effective date of the final rule must meet the needs of the child while providing safe transportation for special education students. Section 444.20(b)(4) is being amended to allow the audible alarm on the special service door to be deactivated when the door is completely open for loading and unloading passengers with special needs and being held by the fastening device. The audible alarm has been a source of concern for the industry as it tends to disturb special education students and cause unnecessary anxiety for them.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes These conform to Section 5-75(a) of the Illinois Administrative Procedures Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking affects units of local government which own or operate school buses used for special education transportation.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Catherine Allen  
Illinois Department of Transportation  
Division of Traffic Safety

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Regulations and Training Unit  
P. O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

By Messenger or Inter-Agency Mail:

DOT Annex Building  
3215 Executive Park Drive  
Planning and Program Support Section; 3rd Floor  
Springfield

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager  
2300 S. Dirksen Parkway, Room 300  
Springfield, Illinois 62764

Comments received within forty-five days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: This rulemaking affects small businesses which own, operate or manufacture special education school buses.
- B) Reporting, bookkeeping or other procedures required for compliance: No new or additional procedures are required for compliance with this rulemaking.
- C) Types of professional skills necessary for compliance: No new or additional professional skills are necessary for compliance.

The full text of this Proposed Amendment begins on the next page:

DEPARTMENT OF TRANSPORTATION  
NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 444  
MINIMUM SAFETY STANDARDS FOR CONSTRUCTION OF SCHOOL BUSES  
USED IN SPECIAL EDUCATION TRANSPORTATION

Section

- 444.5 Definitions
- 444.10 General Requirements
- 444.15 Incorporation by Reference of Federal Motor Vehicle Safety Standards
- 444.20 Special Equipment for Children who are Physically and/or Orthopedically Challenged
- 444.30 Exception

AUTHORITY: Implementing and authorized by Article VIII of Chapter 12 of the Illinois Vehicle Code (Ill. Rev. Stat. 19849], ch. 95 1/2, pars. 12-800 et-seq.-through 820) [625 ILCS 5/12-800 through 820].

SOURCE: Adopted at 2 Ill Reg. 45, p.108, effective November 10, 1978; codified at 7 Ill. Reg. 27343; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: Bold face print denotes statutory language.

Section 444.5 Definitions

"Gross Vehicle Weight Rating (GVWR)" means the value specified by the manufacturer as the loaded weight of the school bus. (Section 12-800 of the Illinois Vehicle Code) (Ill Rev. Stat. 1991, ch. 95 1/2, par. 12-800) [625 ILCS 5/12-800]

"Individualized Education Program (IEP)" means a written statement for an exceptional child that provides at least a statement of the child's present levels of educational performance; annual goals and short-term instructional objectives; specific special education and related services (includes transportation); the extent of participation in the regular education program; the projected dates for initiation of services; anticipated duration of services; appropriate objective criteria and evaluation procedures; and a schedule for annual determination of short-term objectives. The following participants develop the child's IEP:

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A representative of the local district, other than the child's teacher, who is authorized to commit services and who is qualified to provide or supervise the provision of special education.

The child's teacher.

One or both of the child's parents or guardians (if possible).

The child, where appropriate.

Other individuals at the discretion of the parent or local district.

"Special Transportation" means those transportation services which are required because of the child's exceptional characteristics or the location of the special education program or related services, and which are in addition to the regular transportation services provided by the local school district.

"Type I School Bus" means a school bus with a GVWR more than 10,000 lbs. (Section 12-800 of the Illinois Vehicle Code) (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 12-800) [625 ILCS 5/12-800]

"Type II School Bus" means a school bus with a GVWR of 10,000 lbs. or less. (Section 12-800 of the Illinois Vehicle Code) (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 12-800) [625 ILCS 5/12-800]

"Wheelchair Occupant Restraints" means any strap, webbing or similar device designed to secure a person in a wheelchair in order to mitigate the results of any accident, including all necessary buckles and other fasteners, and all hardware designed for installing such restraint in a school bus.

"Wheelchair Securement Anchorages" means the provision for transferring wheelchair securement loads to the vehicle structure. Commonly referred to as fastening devices. (58 FR 4586, January 15, 1993)

"Wheelchair Securement Device" means a strap, webbing or other device used for securing a wheelchair to the school bus, including all necessary buckles and other fasteners. (58 FR 4586, January 15, 1993)

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## Section 444.10 General Requirements

a) Generally, a school bus used for transporting children declared eligible for ~~Special-Education~~ special transportation services shall comply with the applicable minimum safety standards for either a ~~type-II-school-bus-(11-16-passengers)-or-a-type-I-school-bus-(17-passengers-or-more)-~~ Type I school bus (see 92 Ill. Adm. Code 440) or a Type II school bus (see 92 Ill. Adm. Code 442).

b) ~~However, due to the nature of certain handicapping~~ challenging conditions, vehicles utilized for special education transportation shall be adapted to the specific needs of the children receiving this service. These needs may require modification of the minimum standards.

c) Equipment (e.g., additional restraints, harnesses) necessary for the transportation of special education students must be resolved in the student's Individualized Education Program.

d) In all buses manufactured on or after January 17, 1994 and having one or more locations designed for carrying a person seated in a wheelchair, the bus must comply with all applicable standards established in 49 CFR 571.222 (S5.4 through S5.4.4) (October 1, 1992; as amended by 58 FR 4586, January 15, 1993 and 58 FR 46873, September 3, 1993). Certain children may be better transported in a manner not required by 49 CFR 571.222 (S5.4 through S5.4.4). In those instances, the student's Individualized Education Program must dictate what is necessary for the child.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

# Section 444.15 Incorporation by Reference of Federal Motor Vehicle Safety Standards

Each bus body which is utilized to transport persons in wheelchairs must conform to those applicable provisions of the Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571.222) (S5.4 through S5.4.4). Those applicable provisions of the FMVSS are incorporated by reference as that Part of the FMVSS was in effect on October 1, 1992; as amended at 58 FR 4586, January 15, 1993 and as amended at 58 FR 46873, September 3, 1993. No later amendments to or editions of 49 CFR 571.222 are incorporated.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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## NOTICE OF PROPOSED AMENDMENTS

## Section 444.20 Special Equipment for Children who are Physically and/or Orthopedically Challenged

- a) Restraining or Safety Devices:--An appropriate and adequate securely-anchored restraining or safety device, or devices, shall be installed for each handicapped passenger. Questions concerning the appropriateness and adequacy of the restraining or safety device(s) normally installed in each type-I or type-II school bus constructed of an incomplete vehicle, or chassis, manufactured on or after April 1, 1977, and the need for special installation(s) of restraining or safety device(s), shall be resolved by the local school authority in accordance with any decision-making procedures applicable to such authority after giving due consideration to the individual needs of the particular student(s) involved. --AGENCY NOTE: Federal and State standards require closely spaced thickly-padded high-back securely-anchored sturdy-passenger seats, plus front seat barriers or guards, in all school buses constructed of an incomplete vehicle manufactured on or after April 1, 1977. These standards also require lap-type seat belts in such school buses with a gross vehicle weight rating of 10,000 pounds or less. --Other buses probably have less sturdy with less effective padding and probably do not have passenger seat safety belts.

## a) Wheelchair Occupant Restraints:

- 1) For buses manufactured prior to January 17, 1994, appropriate and adequate wheelchair occupant restraints must be installed at each wheelchair location which transports a student in a wheelchair. The restraints must be securely anchored to the wheelchair or the floor of the vehicle.
- 2) For buses manufactured on or after January 17, 1994, each wheelchair location which transports a student in a wheelchair must comply with all wheelchair occupant restraint requirements established in 49 CFR 571.222 (S5.4 through S5.4.4) (October 1, 1992; as amended at 58 FR 4586, January 15, 1993 and as amended at 58 FR 46873, September 3, 1993).
- b) Equipment for Children who are Physically and/or Orthopedically Handicapped--
- b) Special Right Side Service Door Opening: A special door opening may be located on right side of bus.

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

- A1) Door, when open shall not obstruct a front right service door. Door opening shall be adequate to accommodate wheelchairs.
- B2) Device(s) shall be installed that will actuate an audible or visible signal, located in driver's compartment, when door opening is not securely closed.
- C3) Each door shall contain a fixed or movable window as nearly as practical aligned with and of same size as other window(s) on right side of bus.
- D4) A positive fastening device shall be installed to hold door(s) in open position. Each hinged door shall open outwards. When the special service door is completely open for loading and unloading passengers with special needs and being held by the fastening device, the audible alarm can be deactivated.
- E5) Door panel(s) shall be constructed to be equivalent in strength and materials to other doors in the school bus.
- F6) Door opening posts and headers shall be reinforced sufficiently to provide support and strength equivalent to area of side of bus not used for service doors. Outriggers from chassis shall be installed at front and or rear of door opening as necessary to support floor so that it will carry the same passenger and or cargo load(s) as other floor portions.
- G7) Requirements for Bi-Parting Doors only:
- †A) Door shall be made of two panels of approximately equal width, equipped with hinges, hinged to side of bus and each panel shall open outward. Forward panels shall be provided with overlapping flange to close space where door panels meet. Weather seat(s) shall be provided to close all door edges.
- †B) Door shall be equipped with at least one-point fastening device on rear panel to floor or header and at least two-point fastening device to floor and header on forward door panel, both manually operated.
- H8) Special Lamp: A lamp shall be placed inside bus over special service door opening, or at other location if

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shielded to prevent glare. The lamp shall illuminate the floor inside the opening and shall be operated from door area.

2c) Ramps and Lifts:

- A1) Floor of ramp or lift shall be covered with nonskid material.
- B2) Protection against dust and water sufficient to ensure reliable operation shall be provided.

C3) Power Lift:

iiA) If power lift is used, it shall be of sufficient capacity and dimension to lift maximum service load. When lift is at top or bottom of the service travel limits it shall provide easy egress and ingress from the lift.

iiB) If electricity is used, the alternator or generator and the battery must be of ample capacity.

iiiC) Controls shall be operable from both interior and exterior of vehicle.

ivD) Device(s) shall be installed which will prevent operation of lift until doors are opened.

vE) In travel position, the lift must be securely fastened as necessary to prevent its falling or swinging against any person.

B4) Ramp:

iA) Ramp shall be of sufficient strength and rigidity to support the service load. Ramp shall be equipped with protective flange on each longitudinal side to keep wheelchair on ramp.

iiB) Ramp shall be equipped with handle, or handles, and be of such weight or construction as to permit one person to put ramp in place and to return it to travel position.

iiiC) Ramp shall be connected to bus in such manner as

DEPARTMENT OF TRANSPORTATION  
NOTICE OF PROPOSED AMENDMENTS

to permit easy movement of wheelchair to floor of bus.

ivD) Ramp length shall be sufficient for easy ingress and egress.

3d) ~~Fastening devices for wheelchair~~ Securement Anchorage:

- 1) ~~In buses manufactured prior to January 17, 1994, positive fastening devices wheelchair securement anchorages shall be provided, attached to the floor or wall, or both, that will securely hold wheelchair in position in bus.~~

- 2) ~~In buses manufactured on or after January 17, 1994, each wheelchair location must be equipped with forward-facing wheelchair securement anchorages. Additional securement anchorages which allow other than forward-facing orientation can be added to a wheelchair location provided the forward-facing anchorages are not altered and the additional anchorages meet all other standards established in 49 CFR 571.222 (S5.4 through S5.4.4) (October 1, 1992; as amended at 58 FR 4586, January 15, 1993 and as amended at 58 FR 46873, September 3, 1993).~~

- 4e) ~~Grab handles: Grab handles shall be provided on each side of front right service entrance when this entrance is used for ingress or egress of handicapped physically challenged children who need such handle(s) on either side.~~

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF CORRECTIONS

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: SECURITY
- 2) Code Citation: 20 Ill. Adm. Code 501
- 3) Section Numbers: Adopted Action:  
     501.40 Amend  
     501.60 Amend
- 4) Statutory Authority: Implementing and authorized by Sections 3-2-2 and 3-7-1 of the Unified Code of Corrections [730 ILCS 5/3-2-2 and 3-7-1].
- 5) Effective Date of Rule(s) (Amendments, Repealer): May 1, 1994
- 6) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒
- 7) Does this rule (amendment, repealer) contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 11, 1994
- 9) Notice(s) of Proposal Published in Illinois Register:  
     June 11, 1993 17 Ill. Reg. 8396  
     (issue date)
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No
- 11) Difference(s) between proposal and final version: In Section 501.60(b), "where" has been changed to "when" and statutory citations are now shown in italics rather than in all capital letters.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were reached.
- 13) Will this rule (amendment, repealer) replace an emergency rule (amendment, repealer) currently in effect? No
- 14) Are there any amendments pending on this Part? No

## DEPARTMENT OF CORRECTIONS

## NOTICE OF ADOPTED AMENDMENTS

- 15) Summary and Purpose of Rule(s) (Amendments, Repealer): This rulemaking authorizes the use of force where necessary when apprehending release violators and updates chemical agent procedures to provide for the effective use of pepper mace while still requiring reasonable precautionary measures.
- 16) Information and questions regarding this adopted rule (amendment, repealer) shall be directed to:

Name: David C. Watkins, Deputy Director  
 Department of Corrections  
 1301 Concordia Court  
 P. O. Box 19277  
 Springfield, Illinois 62794-9277  
 Telephone: 217/522-2666

The full text of the Adopted Rule(s) (Amendments) begins on the next page:



## DEPARTMENT OF CORRECTIONS

## NOTICE OF ADOPTED AMENDMENTS

**TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT**  
**CHAPTER I: DEPARTMENT OF CORRECTIONS**  
**SUBCHAPTER e: OPERATIONS**

**PART 501**  
**SECURITY**

**SUBPART A: RESORT TO FORCE****Section**

501.10	Applicability
501.15	Responsibilities
501.20	Definitions
501.30	Resort to Force
501.40	Justifiable Use of Force
501.50	Firearms Authorization
501.60	General Use of Chemical Agents
501.70	Use of Chemical Agents in Cells (Consent Decree)
501.80	Training

**SUBPART B: GENERAL SECURITY****Section**

501.100	Applicability
501.105	Responsibilities
501.110	Movement of Committed Persons
501.120	Response to Serious Institutional Disturbances
501.130	Substance Abuse

**SUBPART C: SEARCHES FOR AND DISPOSITION OF CONTRABAND****Section**

501.200	Applicability
501.205	Responsibilities
501.210	Definition
501.220	Searches for Contraband
501.230	Disposition of Contraband

**SUBPART D: PROTECTIVE CUSTODY**

## DEPARTMENT OF CORRECTIONS

## NOTICE OF ADOPTED AMENDMENTS

**Section**

501.300	Applicability
501.305	Responsibilities
501.310	Requirements
501.320	Procedure for Placement
501.330	Periodic Reviews
501.340	Recommendation for Transfer
501.350	Procedure for Involuntary Placement
<del>501.350</del>	<del>Procedure for Involuntary Placement</del>

**AUTHORITY:** Implementing Sections 7-1, 7-3, 7-9, and 31A-1.1 of the Criminal Code of 1961 (Ill. Rev. Stat. 1991, ch. 38, pars. 7-1, 7-3, 7-9, and 31A-1.1) [720 ILCS 5/7-1, 7-3, 7-9, and 31A-1.1] and Section 103-1 et seq. of the Code of Criminal Procedures of 1963 (Ill. Rev. Stat. 1991, ch. 38, par. 103-1 et seq.) [725 ILCS 5/103-1 et seq.] and Sections 3-2-2, 3-4-3, 3-6-2, 3-6-4, 3-7-2, 3-7-4, 3-8-1, 3-8-7, 3-8-8, and 3-10-8 of the Unified Code of Corrections (Ill. Rev. Stat. 1991, ch. 38, pars. 1003-2-2, 1003-4-3, 1003-6-2, 1003-6-4, 1003-7-2, 1003-7-4, 1003-8-1, 1003-8-7, 1003-8-8, and 1003-10-8) [730 ILCS 5/3-2-2, 3-4-3, 3-6-2, 3-6-4, 3-7-2, 3-7-4, 3-8-1, 3-8-7, 3-8-8, and 3-10-8] and authorized by Sections 3-2-2, 3-7-1, 3-7-4, and 3-8-7 of the Unified Code of Corrections (Ill. Rev. Stat. 1991, ch. 38, pars. 1003-2-2, 1003-7-1, 1003-7-4, and 1003-8-7) [730 ILCS 5/3-2-2, 3-7-1, 3-7-4, and 3-8-7]. Sections 501.70 and 501.220 and Subpart D are also implementing Consent Decrees (Czajaka vs. Brierton, #76 C 772, N.D. Ill. 1977; Drew vs. Sielaff, #73 C 2911, N.D. Ill. 1977; and Meeks vs. Lane, #75 C 96, N.D. Ill. 1981).

**SOURCE:** Adopted at 8 Ill. Reg. 14628, effective August 1, 1984; amended at 11 Ill. Reg. 14697, effective September 1, 1987; amended at 13 Ill. Reg. 16977, effective November 1, 1989; amended at 18 Ill. Reg. \_\_\_\_\_, effective May 1, 1994.

**SUBPART A: RESORT TO FORCE****Section 501.40 Justifiable Use of Force**

- a) Force may be used under the following circumstances in accordance with the Unified Code of Corrections (Ill. Rev. Stat. +985 1991, ch. 38, par. 1003-6-4) [730 ILCS 5/3-6-4]:

- 1) *To compel compliance with a lawful order given by an employee to ensure the safety and security of the facility.*

## DEPARTMENT OF CORRECTIONS

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- 2) *To protect oneself or any other person from physical assaults, injury or death.*
- 3) *To prevent escapes from the facility or from the custody of employees in the community.*
- 4) *To apprehend escapees or offenders charged with a violation of parole or mandatory supervised release within the community.*
- 5) *To protect state property or the property of others from unauthorized use, possession, damage or destruction.*
- 6) *To prevent or suppress a riot, revolt, mutiny or insurrection, or other serious disturbance.*
- b) An employee shall be authorized to use deadly force under the following circumstances in accordance with the Unified Code of Corrections (Ill. Rev. Stat. ~~1985~~ 1991, ch. 38, par. 1003-6-4) [730 ILCS 5/3-6-4]:
  - 1) *When he reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or any other person.*
  - 2) *When he reasonably believes that such force is necessary to prevent an escape of a committed person or to retake a person who has escaped.*
  - 3) *To prevent or suppress a riot, revolt, mutiny or insurrection or during a serious disturbance when there is reason to believe that a committed person poses an imminent threat of escape, death, or great bodily harm to another person.*
  - 4) When he reasonably believes that such force is necessary to prevent unauthorized vehicles, aircraft, or persons from attempting to breach the perimeter fence of the facility in order to assist in an escape or insurrection by committed persons.
  - c) Prior to using deadly force:

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- 1) The employee should ensure that no other reasonable means of intervention are available to prevent death, great bodily harm or escape.
- 2) Oral commands and warning shots shall be used within adult facilities, whenever time and circumstances permit. Warning shots shall not be fired when there is apparent danger of injury to an innocent third party.
- 3) Prior authorization of the use of weapons within facilities shall be given by the Chief Administrative Officer, whenever time and circumstances permit.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective May 1, 1994)

## Section 501.60 General Use of Chemical Agents

Chemical agents may be justified under the following circumstances:

- 1) When use of force is otherwise justified (Section 501.40).
- 2) When lesser means are unavailable or inadequate.
- b) Prior to the use of any chemical agent when time and circumstances reasonably permit, the committed persons against whom it is to be directed shall be warned that chemical agents may be used.
- c) The use of chemical agents shall be authorized by the Chief Administrative Officer.
- d) When time and circumstances permit, committed persons other than those against whom the chemical agents are directed shall be removed from the area before the chemical agents are used.
- e) The amount of chemical used and means of dispersal shall be limited to that necessary to achieve the purpose for which the chemical is being used.

## DEPARTMENT OF CORRECTIONS

## NOTICE OF ADOPTED AMENDMENTS

- f) Prior to and following the use of chemical agents, precautionary measures which are reasonable under the circumstances shall be taken to limit the noxious side effects of the chemical agents.
- g) Notwithstanding anything else in this Section to the contrary, oleocapsicum (commonly known as pepper mace or OC) may be used without warning.
- h) Nothing contained in this Section shall allow chemical agents to be used contrary to the provisions of Section 501.70 when a committed person refuses to leave his cell.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective May 1, 1994)

POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Major Stationary Sources Construction and Modification
- 2) The Code Citation: 35 Ill. Adm. Code 203
- 3) Section Number: 203.209 Adopted Action: Amend
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111½, par. 1027 [415 ILCS 5/27]
- 5) Effective Date of Rule(s) (Amendments, Repealer): APR 1 6 1994
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule (amendment, repealer) contain incorporation by reference? No
- 8) Date Filed in Agency's Principal Office: March 31, 1994
- 9) Notice(s) of Proposal Published in Illinois Register: 17 Ill. Reg. 18754, October 29, 1993
- 10) Has JCAR issued a Statement of Objections to this (these) Rule(s)? If answer is "yes," please complete the following:  
No
- 11) Difference(s) between proposal and final version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes; no changes were necessary.
- 13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s): These amendments are being adopted to correct a typographical error which occurred in the Board's Clean Air Act regulatory proceeding R92-21. This rule makes clear that emissions of particulate matter are significant if they exceed 15 tons per year (and not 25 tons per year). This is explained in more detail in the



POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

Board's opinion of March 31, 1994 in Docket R93-26.

- 16) Information and questions regarding this adopted rule shall be directed to:

Marie E. Tipsord  
100 W. Randolph Street  
State of Illinois Center  
Suite 11-500  
Chicago, IL 60601  
(312) 814-4925

Copies of the Board's Opinion of March 31, 1994 in Docket R93-26 are available upon request directed to Dorothy M. Gunn, Clerk of the Board, at the above address.

The full text of the adopted rule(s) begins on the following page:

ILLINOIS REGISTER  
POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER a: PERMITS AND GENERAL PROVISIONS

PART 203

MAJOR STATIONARY SOURCES CONSTRUCTION AND MODIFICATION

SUBPART A: GENERAL PROVISIONS

Section	
203.101	Definitions
203.103	Actual Construction
203.104	Actual Emissions
203.107	Allowable Emissions
203.110	Available Growth Margin
203.112	Building, Structure and Facility
203.113	Commence
203.116	Construction
203.117	Dispersion Enhancement Techniques
203.119	Emission Baseline
203.121	Emission Offset
203.122	Emissions Unit
203.123	Federally Enforceable
203.124	Fugitive Emissions
203.125	Installation
203.126	Lowest Achievable Emission Rate
203.127	Nonattainment Area
203.128	Potential to Emit
203.131	Reasonable Further Progress
203.134	Secondary Emissions
203.136	Stationary Source
203.145	Volatile Organic Material
203.150	Public Participation
203.155	Severability (Repealed)

SUBPART B: MAJOR STATIONARY SOURCES IN  
NONATTAINMENT AREAS

Section	
203.201	Prohibition
203.202	Coordination with Permit Requirement and Application Pursuant to 35 Ill. Adm. Code 201
203.203	Construction Permit Requirement and Application
203.204	Duration of Construction Permit (Repealed)
203.205	Effect of Permits
203.206	Major Stationary Source
203.207	Major Modification of a Source
203.208	Net Emission Determination

ILLINOIS REGISTER  
POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

203.209 Significant Emissions Determination  
203.210 Relaxation of a Source-Specific Limitation  
203.211 Permit Exemption Based on Fugitive Emissions

SUBPART C: REQUIREMENTS FOR MAJOR STATIONARY SOURCES IN  
NONATTAINMENT AREAS

Section  
203.301 Lowest Achievable Emission Rate  
203.302 Maintenance of Reasonable Further Progress and Emission Offsets  
203.303 Baseline and Emission Offsets Determination  
203.304 Exemptions from Emissions Offset Requirement (Repealed)  
203.305 Compliance by Existing Sources  
203.306 Analysis of Alternatives

SUBPART F: OPERATION OF A MAJOR STATIONARY SOURCE OR MAJOR  
MODIFICATION

Section  
203.601 Lowest Achievable Emission Rate Compliance Requirement  
203.602 Emission Offset Maintenance Requirement  
203.603 Ambient Monitoring Requirement (Repealed)

SUBPART G: GENERAL MAINTENANCE OF EMISSION OFFSETS

Section  
203.701 General Maintenance of Emission Offsets

SUBPART H: OFFSETS FOR EMISSION INCREASES FROM ROCKET  
ENGINES AND MOTOR FIRING

Section  
203.801 Offsetting by Alternative or Innovative Means

AUTHORITY: Implementing Section 9.1 and 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1009.1, 1010 and 1027) [415 ILCS 5/9.1, 10 and 27].

SOURCE: Adopted and codified at 7 Ill. Reg. 9344, effective July 22, 1983; codified at 7 Ill. Reg. 13588; amended in R85-20 at 12 Ill. Reg. 6118, effective March 22, 1988; amended in R91-24 at 16 Ill. Reg. 13551, effective August 24, 1992; amended in R92-21 at 17 Ill. Reg. 6973, effective April 30, 1993; amended in R93-9 at 17 Ill. Reg. 16630, effective September 27, 1993; amended in R93-26 at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994.

ILLINOIS REGISTER  
POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

SUBPART B: MAJOR STATIONARY SOURCES IN  
NONATTAINMENT AREAS

Section 203.209 Significant Emissions Determination

a) A net emission increase in the pollutant emitted is significant if the rate of emission is equal to or in excess of the following:

- 1) Carbon monoxide: 100 tons per year (tpy)
- 2) Nitrogen oxides: 40 tpy for a nonattainment area for nitrogen dioxide and 40 tpy for an ozone nonattainment area, except as provided in subsection (b) of this Section
- 3) Sulfur dioxide: 40 tpy
- 4) Particulate matter measured as PM-10:  $\geq 15$  tpy
- 5) Ozone: 40 tpy of volatile organic material, except as provided in subsection (b) of this Section
- 6) Lead: 0.6 tpy

b) For areas classified as serious or severe nonattainment for ozone, an increase in emissions of volatile organic material or nitrogen oxides shall be considered significant if the net emissions increase of such air pollutant from a stationary source located within such area exceeds 25 tons when aggregated with all other net increases in emissions from the source over any period of 5 consecutive calendar years which includes the calendar year in which such increase occurred. This provision shall become effective beginning November 15, 1992, or such later date that an area is classified as a serious or severe nonattainment area for ozone.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED RULES

1) Heading of the Part:

Regional Ambulance Services Code

2) Code Citation:

77 Ill. Adm. Code 547

3) Section Numbers:

547.100  
547.200  
547.300  
547.400  
547.500  
547.600  
547.700

Adopted Action:

New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section

4) Statutory Authority:

Regional Ambulance Services Law  
Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 8301 et seq.  
[55 ILCS 110]

5) Effective Date of Rules:

April 15, 1994

6) Does this Rulemaking Contain an Automatic Repeal Date?Yes      No XIf "yes," please specify date:                     7) Does this Rulemaking Contain Any Incorporations By Reference?Yes      No X8) Date Filed in Agency's Principal Office:

April 15, 1994

9) Date Notice(s) of Proposal was Published in Illinois Register:

January 7, 1994 - 18 Ill. Reg. 95

10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules?Yes      No X

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED RULES

If "yes," please complete the following:

A) Statement of Objection:                     , Ill. Reg.             B) Agency Response:                     , Ill. Reg.             C) Date Agency Response Submitted for Approval to the Joint Committee:                     11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

No comments were received and no changes were made.

The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:

1. The heading of Section 547.200 was changed to "Referenced Materials."
2. The words "incorporated or" were deleted in Section 547.200.

3. Section 547.300(a)(2) was revised to read:  
COMPRISING ALL COUNTIES WITHIN A REGION DESIGNATED PURSUANT TO  
Division 5-14 of the Counties Code (Ill. Rev. Stat. 1991, ch. 34, pars. 5-14001 et seq.)  
[55 ILCS 5/Division 5-14] AND SITUATED WITHIN THE SAME REGION  
DESIGNATED PURSUANT TO THAT ACT, OR

4. In Section 547.300(b), the word "above" was replaced with "of this Section."

5. In Section 547.500(b)(9), the semi-colon was changed to a colon.

6. A semi-colon was added at the end of Section 547.500(b)(9)(C).

7. In Section 547.700(a), the words "of this Part" were deleted.

8. In Section 547.700(c), "consolidations" was changed to "consolidation."

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.



## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED RULES

- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

- 13) Will the Rules Replace an Emergency Rule Currently in Effect?

Yes \_\_\_\_\_ No X \_\_\_\_\_

- 14) Are there any other Amendments Pending on this Part?

Yes \_\_\_\_\_ No X \_\_\_\_\_

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
_____	_____	_____

- 15) Summary and Purpose of Rules:

These rules are being adopted to implement the Regional Ambulance Services Law (Law), which requires the Department to adopt rules establishing standards of eligibility for counties to receive grants that may be awarded under the Law. Two or more contiguous counties may qualify for a grant under the Law and the rules if they meet the population and medical need requirements of the Law, create a regional ambulance system board, and designate an officer or agency to be responsible for administering grant funds.

The Department's rules include Definitions, Incorporated Materials, Eligibility to Apply for Grants, Grant Project Requirements, Application Requirements, Review of Applications and Use of Grant Funds. Regional ambulance services applying for grant funds are required to conduct a needs assessment; to coordinate services with existing providers; and to comply with all requirements of the Emergency Medical Services Systems Act and the Emergency Medical Services Code.

Fiscal year 1994 is the first year that this program has been funded. Applications must be received by the Department by June 1, 1994. Grant funds for fiscal year 1994 will be distributed equally among all eligible applicants.

- 16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Ms. Gail DeVito, Division of Governmental Affairs, Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761, 217/782-6187.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED RULES

The full text of the Adopted Rules begins on the next page:

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED RULES

TITLE 77: PUBLIC HEALTH  
 CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
 SUBCHAPTER I: EMERGENCY MEDICAL SERVICES  
 AND HIGHWAY SAFETY

PART 547  
 REGIONAL AMBULANCE SERVICES CODE

Section	Definitions
547.100	Referenced Materials
547.200	Eligibility to Apply for Grants
547.300	Grant Project Requirements
547.400	Application Requirements
574.500	Review of Applications
547.600	Use of Grant Funds

AUTHORITY: Implementing and authorized by the Regional Ambulance Services Law (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 8301 et seq.) [55 ILCS 110].

SOURCE: Adopted at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_, APR 15 1994

NOTE: Capitalization denotes statutory language.

## Section 547.100 Definitions

Act - the Regional Ambulance Services Law (Ill. Rev. Stat. 1991, ch. 111 1/2, pars 8301 et seq.) [55 ILCS 110], effective August 27, 1990.

AMBULANCE - ANY PUBLICLY OR PRIVATELY OWNED VEHICLE THAT IS SPECIFICALLY DESIGNED, CONSTRUCTED OR MODIFIED AND EQUIPPED, AND IS INTENDED TO BE USED FOR, AND IS MAINTAINED OR OPERATED FOR THE EMERGENCY TRANSPORTATION OF PERSONS WHO ARE SICK, INJURED, WOUNDED OR OTHERWISE INCAPACITATED OR HELPLESS. (Section 4.05 of the Emergency Medical Services Systems Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 5501 et seq.) [210 ILCS 50])

BOARD - ANY REGIONAL AMBULANCE SYSTEM BOARD ESTABLISHED PURSUANT TO the Act. (Section 1003 of the Act)

Department - the Illinois Department of Public Health.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED RULES

DESIGNATED SHORTAGE AREA - A MEDICALLY UNDERSERVED AREA OR HEALTH MANPOWER SHORTAGE AREA AS DEFINED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES OR AS DETERMINED BY THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH. (Section 1003 of the Act)

Division - the Division of Emergency Medical Services and Highway Safety, Department of Public Health.

REGIONAL AMBULANCE SERVICES - AMBULANCE SERVICES USED BY 2 OR MORE COUNTIES. (Section 1003 of the Act)

Section 547.200 Referenced Materials

The following materials are referenced in this Part:

- a) Emergency Medical Services (EMS) Systems Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 5501 et seq.) [210 ILCS 50].
- b) Emergency Medical Services Code (77 Ill. Adm. Code 385).

Section 547.300 Eligibility to Apply for Grants

- a) The following counties MAY QUALIFY FOR A GRANT AUTHORIZED BY the Act: TWO OR MORE CONTIGUOUS COUNTIES

- 1) HAVING AN AGGREGATE POPULATION OF 20,000 OR FEWER PERSONS, OR
- 2) COMPRISING ALL COUNTIES WITHIN A REGION DESIGNATED PURSUANT TO Division 5-14 of the Counties Code (Ill. Rev. Stat. 1991, ch. 34, pars. 5-14001 et seq.) [55 ILCS 5/Division 5-14] AND SITUATED WITHIN THE SAME REGION DESIGNATED PURSUANT TO THAT ACT, OR
- 3) COMPRISING ALL COUNTIES WITHIN A DESIGNATED SHORTAGE AREA. (Section 1005 of the Act)

- b) Counties meeting the requirements of subsection (a) of this Section shall be considered eligible to apply for grants under the Act by:

- 1) THE ENACTMENT OF APPROPRIATE RESOLUTIONS CREATING A REGIONAL AMBULANCE SYSTEM BOARD, AS PROVIDED IN SECTION 1006 of the Act; AND

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- 2) DESIGNATING THE OFFICER OR AGENCY TO BE RESPONSIBLE FOR ADMINISTERING GRANT FUNDS; (Section 1005 of the Act) and
- 3) Submitting an application to the Department in accordance with the requirements of Section 547.500.

## Section 547.400 Grant Project Requirements

- a) EACH BOARD SHALL CONDUCT AN AMBULANCE SERVICE NEEDS ASSESSMENT IN THE COUNTIES UNDER ITS JURISDICTION (Section 1007 of the Act), including the following:

- 1) The need for a regional ambulance service, including personnel and equipment needs, and the methodology used to determine that need;
- 2) How the Board plans to meet the need for a regional ambulance service;
- 3) A description of the existing ambulance services in the counties under the Board's jurisdiction, including private ambulance services.

- b) EACH BOARD SHALL DEVELOP A PLAN FOR REGIONAL AMBULANCE SERVICES, INCLUDING THE DEVELOPMENT OF RESOURCES AND COORDINATION WITH EXISTING AMBULANCE SERVICES. (Section 1007 of the Act)

- c) Regional ambulance services receiving funds under this Part shall provide service to all residents in the counties under the Board's jurisdiction.

- d) Regional ambulance services shall comply with all requirements of the Emergency Medical Services Systems Act and the Emergency Medical Services Code.

## Section 547.500 Application Requirements

- a) Applications shall be submitted to the Department at the following address:

Regional Ambulance Services Grant Project  
 Illinois Department of Public Health  
 Division of Emergency Medical Services  
 525 W. Jefferson St., 3rd Floor  
 Springfield, Illinois 62761

- b) Applications shall include the following:

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- 1) The officer or agency designated by the regional ambulance service to be responsible for administering grant funds;
- 2) The results of the needs assessment conducted pursuant to Section 547.400;
- 3) The organization and responsibilities of the Board;
- 4) The operations budget of the regional ambulance service, including projections on how and when the regional ambulance service will become self-sufficient, and a description of local financial support or in-kind service;
- 5) A staffing plan for the regional ambulance service;
- 6) An agreement by the applicant to ensure that the requirements of the Emergency Medical Services Systems Act will be met;
- 7) A description of the proposed interaction between any existing ambulance services and the regional ambulance service;
- 8) A description of the support of the local medical communities for the regional ambulance service;
- 9) A plan for quality management, including an evaluation of the project to be submitted to the Department after the first six months of operation, that indicates:
  - A) the amount of grant funds expended and a description of expenditures;
  - B) changes that have occurred in service provided as a result of the grant project; and
  - C) an evaluation of the effectiveness of the officer or agency designated by the regional ambulance service to be responsible for administering grant funds;
- 10) A description of a plan for the provision of education for ambulance service personnel and a plan for public education by the regional ambulance service;
- 11) A description of the responsibilities of service providers, including maintenance of vehicles and equipment;
- 12) A description of the communications system that will be used by the regional ambulance service; and
- 13) The name, address, and telephone number of the person to whom questions and information concerning the application and the grant project are to be directed.



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## Section 547.600 Review of Applications

- a) Applications for grant projects for the fiscal year ending on June 30, 1994, must be received by the Department on or before June 1, 1994.
- b) Applications will be reviewed by the Department for compliance with the requirements of this Part. During the course of its review, the Department may contact the applicant for additional information if the information provided is incomplete, inconsistent, or unclear.
- c) Applicants whom the Department determines not to be eligible for grant funds will be notified in writing of the reason(s) for the Department's determination.
- d) After July 1, 1994, applications for grant funds must be received by March 1 of each year. Applicants will be notified of eligibility by June 30 of each year.
- e) Grant funds will be distributed equally among all eligible applicants.

## Section 547.700 Use of Grant Funds

- a) Grant funds shall be spent in accordance with the operations budget referenced in Section 547.500(b)(4).
- b) Grant funds may be used to meet operational expenses of a regional ambulance service during its start-up phase when reimbursements have not yet met expenses.
- c) Grant funds may be used to meet expenses associated with consolidation of ambulance service providers into a regional ambulance service.
- d) Grant funds may be used to provide training for employees, prehospital care personnel, or volunteers specific to the needs of the project, and for business associates of the ambulance services, such as training officers or members of Boards of Directors.
- e) Grant funds may be used to establish telecommunications and computer capabilities for a Regional Ambulance Service.
- f) Grant funds shall not be used to establish services where private providers are in operation and their services have not been found to be inadequate.

## TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Administration and Operation of the Teachers' Retirement System
- 2) Code Citation: 80 Ill. Adm. Code 1650
- 3) Section Numbers: Adopted Action:

1650.160	Amendment
1650.180	Amendment
1650.181	New Section
1650.182	New Section
1650.210	Amendment
1650.230	Amendment
1650.250	Amendment
1650.280	Amendment
1650.290	Amendment
1650.340	Amendment
1650.440	Amendment
1650.450	Amendment
1650.460	Amendment
1650.520	Amendment
1650.560	Amendment
1650.620	Amendment
1650.640	Amendment
1650.650	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 16-106, 16-118, 16-121, 16-125, 16-133, 16-136, 16-149, 16-149.1, 16-149.2, 16-150, 16-153.2, 16-155, 16-168 and 16-192 of the Illinois Pension Code [40 ILCS 5/16-106, 16-118, 16-121, 16-125, 16-133, 16-136, 16-149, 16-149.1, 16-149.2, 16-150, 16-153.2, 16-155, 16-168, and 16-192].
- 5) Effective Date of Rule(s): APR 15 1994
- 6) Does this rulemaking contain an automatic repeal date? NO
- 7) Does these amendments contain incorporations by reference? NO
- 8) Date Filed in Agency's Principal Office: March 29, 1994
- 9) Notice of Proposal Published in Illinois Register: December 31, 1993, 17 Ill. Reg. 22487
- 10) Has JCAR issued a Statement of Objections to these rules? NO

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11) Differences between proposal and final version:

At the suggestion of the Administrative Code Division of the Secretary of State's Office and the Joint Committee on Administrative Rules, the following changes were made:

- In the SOURCE section, the word "Source" was deleted in the second to last line, along with strike-outs.
- In Sections 1650.160, 1650.180, 1650.290, 1650.340, and 1650.650, the word "formerly" was deleted and Illinois Revised Statutes cites were struck-out.
- In Sections 1650.181 and 1650.182, the source notes were changed from "Amended" to "Added."
- In Section 1650.280, the source note was changed from "Added" to "Amended."
- In Section 1650.460, the source note was changed to "Amended at."
- The change in Section 1650.210(c)(3) was deleted, as it was already on file as "than" with the Administrative Code Division of the Secretary of State's Office.
- The underlining of Section 1650.230(f) was deleted, as this language is currently on file as subsection (e).
- In Section 1650.450(b)(6), "Subsections" was changed to "subsections."
- Section 1650.181(a) was amended by deleting the phrase "the payment schedule established by the System" at the end of the first sentence and inserting: "a quarterly basis for five years. For regular retirements under Section 16.133.4, the first quarterly payment is due on January 15, 1994 and on the 15th of the month quarterly thereafter. For regular retirements under Section 16-133.5 and delayed retirements under Section 16-133.4, the first quarterly payment is due on January 15, 1995 and on the 15th of the month quarterly thereafter. For delayed retirements under Section 16-133.5, the first quarterly payment is due on January 15, 1996 and on the 15th of the month quarterly thereafter."
- Section 1650.230(d) was amended by deleting the first sentence.

- Section 1650.620 was amended by inserting "(Committee)" after "Claims Hearing Committee" in the second sentence, and adding: "The Committee shall be composed of three members of the Board, elected by the Board to serve on the Committee. The Board shall elect an alternate member

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from the Board to serve on the Committee in the absence of a member of the Committee. Any member(s) of the Committee may be disqualified from hearing an appeal due to bias or conflict of interest in the appeal.", at the end of the second sentence.

- The Joint Committee on Administrative Rules made some additional editorial changes which were accepted by the Teachers' Retirement System.

12) Have all the changes agreed upon by the agency and JCAR been as indicated in the agreement letter issued by JCAR? YES

13) Will these amendments replace an emergency rule currently in effect? NO

14) Are there any amendments pending on this Part? NO

15) Summary and Purpose of Amendments:

1650.160 Allows the sharing of member and annuitant information with systems subject to the Reciprocal Act.

1650.180 Amends the title of the rule and changes the word "penalties" to "additional amounts due", consistent with Section 16-155(b).

1650.181 Establishes procedures TRS will follow when an employer elects to pay the employer's contribution over a period of 5 years under Sections 16-133.4 and 16-133.5.

1650.182 Establishes the procedures for the waiver of additional amounts due from employers.

1650.210 a) Deletes the requirement that the applicant for survivor benefits payments furnish proof of heirship for payment, to conform with statutory language.  
e)(1)(ii) Amends the rule to conform with new statutory language, allowing occupational disability benefits to become payable after "the last day for which salary becomes payable."

f) Entire paragraph deleted, in order to conform with Worker's Compensation Act.

g) Re-lettered to (f).

h) Re-lettered to (g). Amends the rule to provide for age retirement from a disability benefit and defines the effective date of the annuity when a member transfers to age retirement from a disability benefit, as provided by statute.

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- 1650.230
- i) Re-lettered to (h). Amends the rule to allow use of the highest salary, either most recent annual contract rate at the time benefit becomes payable or rate at the time benefit commenced, when reinstating benefits after 90 days of subsequent disability.
  - b) Clarifies the current rule when any of the items listed (1-5) are true, additional proof of disability may be required.
  - d) This new subsection establishes a requirement for an examination at the time the member becomes eligible for an age retirement annuity.
  - d) Re-lettered to (e). Amendment allows for disability records to be evaluated by a qualified medical consultant or firm.
  - e) Re-lettered to (f).
  - f) Re-lettered to (g).
  - h) The new subsection implements the provisions of Section 16-140(4) with a procedure for establishing proof of disability for a beneficiary seeking survivor benefits as a disabled child.
  - i) This new subsection provides a procedure to substantiate continued eligibility for a disabled child benefit recipient by submitting to medical exams and providing medical records under the same circumstances as are required in order to substantiate continued eligibility for disability benefit, occupational disability benefit, or disability retirement annuity.
  - j) New subsection suspends the payment of benefits when a beneficiary fails to submit to medical exams or provide required information to substantiate continued disability.
- 1650.250
- Adds a definition for statutory language of "substantial gainful activity".
- 1650.280
- Adds a provision which allows use of documentation which the System considers to be trustworthy to substantiate evidence of marriage.
- 1650.290
- b) This amendment increases the dollar amount for write-offs from \$25.00 to \$50.00 for benefits which have been overpaid and establishes a procedure for recording accounts receivable.
  - c) Defines the interest rate and commencement date of such interest for balances owed for certain disability retirement annuity overpayments and other overpayments with a beginning balance of less than \$1,000.00.

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- d) Adds an introductory sentence preceding the procedures in determining overpayments.
  - d)(4) This amendment deletes the limiting language and takes care of various housekeeping items.
- 1650.340
- c) Adds language providing for service credit for leaves under the Family Medical Leave Act.
- 1650.440
- Amendment increases from \$25.00 to \$50.00 the amount the System will write off, absent demand.
- 1650.450
- Deletes typographical error.
- 1650.460
- Amendment provides procedures for calculating average salary when a member's salary includes leave of absence, substitute or part-time, non-contractual earnings to insure that the member will not suffer because of these earnings.
- 1650.520
- Amends the title to include other benefits, not just retirement annuities.
  - d) Sets the procedure for suspension of benefits if documentation of continued eligibility is not returned by recipients of disability benefits, occupational disability benefits, disability retirement annuities or monthly survivor benefits.
- 1650.560
- Amends our current rule to conform with estates laws and eliminate the need for payment of small amounts to numerous next of kin.
- 1650.620
- Amendment requires individuals to file with the Board, an appeal for administrative review, within six months of a staff disposition or interpretation.
- 1650.640
- a) Amendment provides for additional discovery rights at a prehearing conference.
  - b) Amendment provides notice that the hearing may be delayed by failure to attend a prehearing conference.
  - c) New subsection allows for additional discovery after a prehearing conference has been held.
  - d) This subsection prohibits the introduction of exhibits or witnesses at hearing when discovery procedures have not been complied with, unless good cause is shown. A hearing may be postponed to allow time for response to newly submitted evidence.
  - c) Re-lettered to (e).

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- 1650.650 a) Amends the rule to allow use of a court reporter.  
 c) Provides that individuals testifying will be sworn.  
 d) Amendments clarify the hearing procedure and allow for postponement of a hearing when new issues are raised at hearing.  
 f) Amendments set out the procedures for Proposed Decisions and exceptions.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Wilma VanScyoc, General Counsel  
 Teachers' Retirement System  
 2815 West Washington, P.O. Box 19253  
 Springfield, Illinois 62794-9253  
 Telephone: (217) 753-0375

The full text of the Adopted Amendments begins on the next page.

## TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
 SUBTITLE D: RETIREMENT SYSTEMS  
 CHAPTER III: TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

PART 1650  
 THE ADMINISTRATION AND OPERATION OF THE TEACHERS' RETIREMENT SYSTEM

SUBPART A: REPORTS BY BOARD OF TRUSTEES

Section  
 1650.10

Annual Financial Report (Repealed)

SUBPART B: BASIC RECORDS AND ACCOUNTS

Section

1650.110 Membership Records  
 1650.120 Claims Records (Repealed)  
 1650.130 Individual Accounts (Repealed)  
 1650.140 Ledger and Accounts Books (Repealed)  
 1650.150 Statistics (Repealed)  
 1650.160 Confidentiality of Records  
 1650.180 Filing Requirements---Penalty-Provisions and Payment Requirements  
 1650.181 Early Retirement Incentive Payment Requirements  
 1650.182 Waiver of Additional Amounts Due

SUBPART C: FILING OF CLAIMS

Section

1650.210 Claim Applications  
 1650.220 Reclassification of Disability Claim (Repealed)  
 1650.230 Medical Examinations and Investigations of Claims  
 1650.240 Refunds; Impermissible Refunds; Canceled Service; Repayment  
 1650.250 Death Benefits  
 1650.260 Evidence of Age  
 1650.270 Evidence of Dependency  
 1650.271 Evidence of Parentage  
 1650.280 Evidence of Marriage  
 1650.290 Offsets

SUBPART D: MEMBERSHIP AND SERVICE CREDITS

Section

1650.310 Effective Date of Membership  
 1650.320 Method of Calculating Service Credits  
 1650.325 Method of Calculating Service Credit for Recipients of a Disability Benefits or Occupational Disability Benefit



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1650.330 Duplicate Service Credit  
 1650.340 Service Credit for Leave of Absence, Sabbatical Leaves, or Involuntary Layoffs  
 1650.350 Service Credit for Unused Accumulated Sick Leave Upon Retirement  
 1650.360 Service and Earnings Credit Obtained Pursuant to Labor Contract Litigation  
 1650.370 Calculation of Average Salary (Renumbered)

## SUBPART E: CONTRIBUTION CREDITS AND PAYMENTS

Section  
 1650.410 Refunds for Duplicate or Noncreditable Service  
 1650.420 Interest on Deficiencies (Repealed)  
 1650.430 Installment Payments (Repealed)  
 1650.440 Small Deficiencies, Credits or Death Benefit Payments  
 1650.450 Definition of Salary  
 1650.460 Calculation of Average Salary

## SUBPART F: RULES GOVERNING ANNUITANTS AND BENEFICIARIES

Section  
 1650.505 Beneficiary (Repealed)  
 1650.510 Re-entry Into Service  
 1650.520 Suspension of Retirement-Annuities Benefits  
 1650.530 Power of Attorney  
 1650.540 Conservators/Guardians  
 1650.550 Presumption of Death  
 1650.560 Benefits Payable on Death  
 1650.570 Survivors' Benefits  
 1650.580 Evidence of Eligibility

## SUBPART G: ATTORNEY GENERALS' OPINION

Section  
 1650.605 Policy of the Board Concerning Attorney Generals' Opinion (Repealed)

## SUBPART H: ADMINISTRATIVE REVIEW

Section  
 1650.610 Staff Responsibility  
 1650.620 Right of Appeal  
 1650.630 Form of Written Request  
 1650.640 Prehearing Procedure  
 1650.650 Hearing Procedure  
 1650.660 Rules of Evidence  
 1650.710 Amendments

## SUBPART I: RULES OF ORDER

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Section  
 1650.810 Parliamentary Procedure

AUTHORITY: Implementing and authorized by Sections 16-106, 16-118, 16-121, 16-125, 16-133, 16-136, 16-149, 16-149.1, 16-149.2, 16-150, 16-153.2, 16-155, 16-168 and 16-192 of the Illinois Pension Code [40 ILCS 5/16-106, 16-118, 16-121, 16-125, 16-133, 16-136, 16-149, 16-149.1, 16-149.2, 16-150, 16-153.2, 16-155, 16-168 and 16-192].

SOURCE: Filed June 20, 1958; emergency rules adopted at 2 Ill. Reg. 49, p. 249, effective November 29, 1978, for a maximum of 150 days; adopted at 3 Ill. Reg. 9, p. 1, effective March 3, 1979; codified at 8 Ill. Reg. 16350; amended at 9 Ill. Reg. 20885, effective December 17, 1985; amended at 12 Ill. Reg. 16896, effective October 3, 1988; amended at 14 Ill. Reg. 18305, effective October 29, 1990; amended at 15 Ill. Reg. 16731, effective November 5, 1991; amended at 17 Ill. Reg. 1631, effective January 22, 1993; amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994.

## Section 1650.160 Confidentiality of Records

The Board, its Executive Director, and agents and employees of the System are prohibited from disclosing the contents of a member's, annuitant's, or beneficiary's files, records, papers, or communications except: for purposes connected with the official responsibility of the Teachers' Retirement System; to other systems subject to and participating in the Reciprocal Act; upon written authorization from the individual whose record is to be released; in response to a subpoena; or when required pursuant to the Freedom of Information Act [5 ILCS 140]. (iii--Rev--Stat--1993--ch--1167--pars--201--et--seq--)

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994.)

## Section 1650.180 Filing Requirements-----Penalty--Provisions and Payment Requirements

- a) All employers are required to forward member contributions to the System after the close of each pay period or monthly, if a State Institution, and to file an annual report of earnings with the System on or before August 15 of each year. Failure to forward contributions or to file reports shall result in penalties additional amounts due prescribed by Section 16-155 of the Illinois Pension Code (The the Act) +[40 ILCS 5/16-155] (iii--Rev--Stat--1989--ch--1167--pars--16-155).
- b) In administering the penalty additional amount due for late filing of the employer's annual report of earnings prescribed by Section 16-155(c) of the Act, the postmark date is deemed to be the date of receipt. If the postmark is made other than by the U.S. Post Office, such as a postage meter, the postmark must show a date on or before

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the date the material was to be received in an office of the System and must be received no later than four days after the date shown.

c) Envelopes must be properly addressed to the System if the reports are to be considered filed timely, with correct postage paid by the employer.

(Source: Amended 18 Ill. Reg. \_\_\_\_\_, effective  
APR 15 1994)

**Section 1650.181 Early Retirement Incentive Payment Requirements**

- a) All employers who elect to pay the required employer's early retirement contribution in installments within a period of 5 years as provided for in Section 16-133.4 or Section 16-133.5 of the Act are required to forward such employer contributions to the System on a quarterly basis for five years. For regular retirements under Section 16-133.4, the first quarterly payment is due on January 15, 1994 and on the 15th of the month quarterly thereafter. For regular retirements under Section 16-133.5 and delayed retirements under Section 16-133.4, the first quarterly payment is due on January 15, 1995 and on the 15th of the month quarterly thereafter. For delayed retirements under Section 16-133.5, the first quarterly payment is due on January 15, 1996 and on the 15th of the month quarterly thereafter. Failure to forward employer contributions as required shall result in the assessment of additional amounts due.
- b) If the employer fails to forward such required employer contributions within the time permitted by the payment schedule, the System shall assess and notify the employer of an additional amount due, equal to a quarterly rate of 1.43% of the amount remaining unpaid by the employer on the date due.
- c) Employers paying through a quarterly payment plan shall be assessed an additional quarterly rate of 1.43% on the employer's remaining unpaid quarterly balance in every succeeding payment period the employer fails to pay any past due amounts.
- d) Employers paying through a tailored payment plan shall be assessed an additional quarterly rate of 1.43% for each succeeding quarter in which the employer fails to pay any past due amounts. Quarters shall be determined based on the date due.
- e) For purposes of administering the additional amounts due, based upon the employer's failure to make the employer's early retirement contribution under Section 16-133.4 or Section 16-133.5, the contribution must be received by the date due, as established by the System. Contributions shall be credited to the employer on the date of receipt by the System.

(Source: APR 15 1994 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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**Section 1650.182 Waiver of Additional Amounts Due**

- a) The System may waive additional amounts due upon good cause shown when:
- 1) The delinquency is attributable to circumstances commonly known as an "act of God", such as fire, flood, tornado and the like; or
  - 2) The delinquency is attributable to other administrative reasons where no employer negligence is involved, and the employer's record indicates a history of good faith and consistent compliance with the System's contribution and reporting requirements.
- b) Circumstances purporting to justify a waiver of the additional amounts due must be certified in writing to the System by the Superintendent of the school district or chief operating officer of the employer requesting a waiver.

(Source: Added 18 Ill. Reg. \_\_\_\_\_, effective  
APR 15 1994)

## SUBPART C: FILING OF CLAIMS

**Section 1650.210 Claim Applications**

- a) Any individual claiming a retirement annuity, a disability retirement annuity, a survivor benefit, a disability benefit or an occupational disability benefit shall file an application therefor in the form prescribed by the System. This application, together with the membership record, and such other information as may have been compiled during the membership of the member or submitted by the applicant shall constitute the complete record forming the basis of the claim. An application for survivor benefits shall be accompanied by a certified copy of the death certificate, other public record of death, or a physician's certificate. ~~The applicant for a survivor benefit shall furnish proof of heirship such as a court order or an affidavit of heirship.~~
- b) When 90 or more days have elapsed subsequent to the commencement of a member's disability, oral or written notification of the disability shall be deemed sufficient to commence accrual of benefits. Provided, however, if the System fails to receive the documentation required by Section 16-149 or Section 16-149.1 of the Act within six months of the initial notification no benefits will accrue until that documentation is received by the System.
- c) Disability benefits become payable the later of:
- 1) The 31st calendar day after commencement of absence due to disability;
  - 2) Upon exhaustion of the member's sick leave or (if sick leave not paid by employer) when the sick leave would have been exhausted had the member been paid; or

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- 3) The date the System receives notification of disability if more than 90 days have elapsed from the later of:

- i) commencement of disability; or
- ii) the last day for which salary (including sick leave pay) is payable, whether or not these days are actually paid.

When an individual claiming disability benefits is employed under an agreement for less than 12 full months, neither the 31-day waiting period nor the utilization of sick leave requirement, as contained in subsection (c) above, is satisfied during periods not covered by the agreement. For purposes of granting disability benefits it will be presumed that all employment agreements cover one full school term and are automatically renewable at the commencement of the next school term. Satisfactory evidence must be presented of an employment agreement covering a longer period than a full school term (e.g., 10, 11 or 12 months). Satisfactory evidence will consist of a written statement from the employer.

- e) Occupational disability benefits become payable the later of:

- 1) The day date after the last day for which salary (including sick leave pay) is payable; or
- 2) The date the System receives notification of disability if more than 90 days have elapsed from the later of:
  - i) the commencement of the disability; or
  - ii) the last day for which salary (including sick leave pay) is payable, whether or not these days are actually paid.

- f) When an individual claiming occupational disability benefits is employed under an agreement for less than 12 full months, the utilization of sick leave requirement in subsection (c) above is not satisfied during periods not covered by the agreement. The same presumptions and evidentiary requirements regarding the terms of the employment agreement will be applied under this subsection as under subsection (d) above.

g) Receipt by the System of an application for a retirement annuity and any outstanding payments terminates membership in the System. The death of an applicant is deemed to be a death out of service when calculating survivor benefits.

h) A member may request, in writing, a transfer from a disability benefit to an age retirement annuity or a disability retirement annuity prior to the expiration of the eligible period for disability benefits. The effective date of such annuities the disability retirement annuity shall be the first of the month following receipt of the request. A member receiving a disability retirement annuity may, any time after becoming eligible for age retirement, request in writing a transfer to an age retirement annuity. The effective date of the age retirement annuity will be the first day of the month following receipt of the written request for such transfer.

i) Whenever a member because of employment becomes ineligible to receive

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a) disability benefit, disability retirement annuity or occupational disability benefit but is subsequently disabled for the same cause within 90 days, benefits shall be reinstated at the previous rate upon written application. Benefits will commence the day following the last day the member is eligible to receive salary. If more than 90 days have elapsed, benefits shall be reinstated based on the greater of the member's most recent annual contract salary rate as a teacher at the time the disability benefit becomes payable or the member's annual contract rate on the date the disability commenced.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective **APR 13 1994**)

## Section 1650.230 Medical Examinations and Investigations of Claims

- a) Each member seeking a disability benefit, occupational disability benefit, or a disability retirement annuity shall provide the System with written reports by two or more licensed and practicing physicians certifying that the member is disabled and unable to properly perform the duties of his or her position. Provided, however, in the case of disability due to pregnancy, the member shall provide the System with a written report by one licensed and practicing physician certifying that she is disabled and unable to perform the duties of her position.
- b) In order to substantiate the member's or the annuitant's continued eligibility for a disability benefit, occupational disability benefit, or a disability retirement annuity, the System shall require that the member or annuitant submit to additional medical examinations and shall request hospital records; Department of Employment Security earning statements; Social Security benefit payment information; income tax records; and other pertinent information, under any one of the following circumstances:
  - 1) There is disagreement among examining physicians;
  - 2) The medical examinations were inadequate to substantiate continued disability. A medical examination is considered inadequate when:
    - A) a report is incomplete; or
    - B) a report was not completed within the last three months; or
    - C) the duration of disability is shorter than the period between the date of the medical examination and the date of the submittal of the report.

- 3) There is evidence an impartial medical examination was not performed. An impartial medical exam is not performed when the physician is:
  - A) related to the teacher; or
  - B) a friend of the teacher.
- 4) There is a reasonable basis to believe the member is no longer disabled. A reasonable basis exists when:
  - A) the System receives information that the teacher was engaged



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in activities which would be prohibited by his or her stated disability; or

- B) the System receives inquiries by teachers receiving a disability benefit, disability retirement annuity or occupational disability benefit regarding the work which they may perform.

- 5) The member is found to be gainfully employed. The term "gainfully employed":

- A) shall be construed to mean:
- i) any compensation which exceeds \$500 in any month for personal services, including fees, wages, salary, commissions, and similar items; and
  - ii) any income which exceeds \$500 in any month derived from the participation in a business activity through the performance of physical and/or mental activities generally performed for the production of income; and

- B) shall be computed on a gross rather than net basis (i.e., no deduction of any kind, including but not limited to deductions for losses, expenses, taxes or withholding, will be considered in such computation); and

- C) shall be computed either on a monthly or on an annual basis; that is: more than \$500 compensation earned in a month results in a loss of eligibility for that month; more than \$6,000 compensation earned in a year results in loss of eligibility for that year.

- c) Members or annuitants in receipt of a disability benefit or occupational disability benefit shall be requested to submit to medical examinations at least once each year. When a disability benefit terminates, and a member requests retirement on a disability retirement annuity, the member shall submit to a medical examination, unless the member was examined within the preceding six months, in which case no new medical examinations are required.

- d) A member in receipt of a disability retirement annuity who becomes eligible for an age retirement annuity shall submit to medical examinations to retain disability retirement annuity status.

- e) The System may have medical information submitted to it evaluated by a qualified consultant or consulting firm. The System retains the right to require members or annuitants to submit to medical examinations by physicians selected by the System, at its own expense. These examinations may be in addition to the written reports tendered by the member or the annuitant. Such examinations shall be required when prior medical examinations were inadequate, when there is a question regarding the independence of the physician or when the forms are not completed properly or there is a reasonable basis to believe the member is no longer disabled. ~~(based on the factors set out in subsection (b)(4) of this Section).~~

- f) Failure of a member or an annuitant to submit to medical examination, or to provide the information required pursuant to Sections 16-149

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through 16-149.2 of the Act shall result in suspension of payments.

- g) The term "licensed physician" means any individual licensed by the State in which they practice as a medical doctor. All licensed physicians shall be requested to submit their registration number on all reports submitted to the System.

- h) Each beneficiary seeking to receive a survivor benefit as a disabled eligible child shall provide the System with a written report from a licensed and practicing physician certifying the beneficiary is disabled as defined by Section 16-140(4) of the Act.

- i) In order to substantiate the beneficiary's continued eligibility as a disabled child, for a survivor benefit, the System shall require that the beneficiary submit to additional medical examinations and shall request medical records; Department of Employment Security earnings statements; Social Security benefit payment information; Public Aid benefit payment information; income tax records; and other pertinent information, under any one of the following circumstances:

- 1) The medical examination was inadequate to substantiate continued disability. A medical examination is considered inadequate when:

- A) a report is incomplete; or
- B) a report was not completed within the last three months; or
- C) the duration of disability is shorter than the period between the date of the medical examination and the date of the submittal of the report.

- 2) There is evidence an impartial medical examination was not performed. An impartial medical exam is not performed when the physician is:

- A) related to the beneficiary; or
- B) a friend of the beneficiary.

- 3) There is reasonable basis to believe the beneficiary is no longer disabled. A reasonable basis exists when:

- A) the System receives information that the beneficiary was engaged in substantial gainful activity; or
- B) the System receives inquiries from the beneficiary regarding the work the beneficiary may perform.

- 4) The beneficiary is found to be able to engage in substantial gainful activity. The term "substantial gainful activity" is defined in Section 1650.250(c).

- j) Failure of the beneficiary to submit to medical examinations, or to provide the information required to establish or substantiate continued disability, shall result in suspension of payments.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994)

## Section 1650.250 Death Benefits

- a) When two or more beneficiaries are eligible for a survivor benefit and only one qualifies for a periodic payment, the System shall not split



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the benefit payments so that one person receives a lump sum payment and the other receives an annuity. The beneficiaries shall be paid either the lump sum benefit, or the dependent beneficiary may receive an annuity, provided the non-dependent beneficiary disclaims a lump sum benefit.

b) The phrase "providing for the support of the deceased member's eligible child as provided in Sec. Section 16-141(b)(2) of the Act means providing that support necessary so that the surviving spouse may claim the child as a dependent for federal income tax purposes.

c) The phrase "substantial gainful activity", as provided in Section 16-140(4) of the Act, means the performance of significant duties over a reasonable period of time while working for pay or profit. Full-time work or part-time work done at the employer's convenience in a competitive work situation for at least the minimum wage conclusively shows that the person is able to engage in substantial gainful activity. Certain work offered at qualified locations to physically or mentally impaired persons is considered sheltered employment. The fact that an impaired person has accepted sheltered employment is not proof of the person's ability to engage in substantial gainful activity.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective  
**APR 15 1994**)

**Section 1650.280 Evidence of Marriage**

a) Applicants claiming benefits as a surviving spouse shall submit as evidence of marriage a copy of the public record of marriage. If such record is unavailable due to loss or destruction, then a copy of the religious record of the marriage shall be submitted.

b) If no such records exist, the following will be accepted for consideration:

- 1) A notarized statement from the individual who performed the marriage.
- 2) Notarized statements from at least two individuals in attendance of the marriage.
- 3) Written certification from the Social Security Administration of acceptance of the marriage and its date.
- 4) Such other documentation found by the System to be trustworthy, such as that produced by independent third parties.

c) Evidence of Dissolution or Invalidity of Marriage.  
The only document acceptable as evidence of dissolution or invalidity of marriage is a certified copy of the declaration or decree entered by a court of competent jurisdiction.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective  
**APR 15 1994**)

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**Section 1650.290 Offsets**

a) Benefits received by a member under the Workers' Compensation Act ([820 ILCS 305] ~~Ill-Rev-Stat--1997-ch--48-par-139-1-et--seq-7~~ or ~~the Workers' Occupational Diseases Act ([820 ILCS 310] ~~Ill-Rev-Stat-1997-ch--48-par-172-36-et--seq-7~~ with respect to a disability shall be applied as an offset against any occupational disability benefit provided by the System with respect to the same accident, illness or disease.~~

1) If the amount of compensation received is less than the monthly benefit provided under the Illinois Pension Code, only the amount of the excess of such monthly benefit over the amount of such compensation shall be payable by the System. If the amount of compensation received equals or exceeds the monthly benefit provided under the Illinois Pension Code, no benefit shall be payable by the System during the period compensation is paid under the Workers' Compensation Act or Workers' Occupational Diseases Act.

2) If the compensation for disability or death is received in a commuted lump sum or partly in a commuted lump sum and partly in monthly or weekly sums, the System shall, for offset purposes, consider the compensation as if it had been paid at a weekly rate as prescribed under the Workers' Compensation Act or Workers' Occupational Diseases Act.

3) In the event the whole or any part of the benefits received under the Workers' Compensation Act or Workers' Occupational Diseases Act is commuted into one sum, the aggregate sum of the benefits so commuted and not the commuted value thereof shall be used for purposes of ascertaining the amount of offset.

4) The amount considered for offset purposes shall not be reduced by any legal expenses granted from the award to the member.

5) An offset shall not be applied to medical expenses paid on behalf of or to the claimant.

b) Whenever the System determines benefits other than a refund of contributions under Section 151 of the Act have been paid erroneously or in an excess amount, whatever the reason, it shall record--such payment as an overpayment and notify the payee or other person from whom repayment is expected of the amount due--for any overpayment exceeding \$25, the System shall establish a receivable on the books of the System with interest to accrue at the statutory rate beginning on the first day of the month following 30 days from date of notification by the System--to be collected in accordance with the following criteria, except for an impermissible refund as defined in Section 1650.240, have been paid erroneously or in an excess amount greater than \$50.00, the System shall record such overpayment as an accounts receivable and notify the payee or other person from whom repayment is expected of the amount due.

c) Interest shall accrue at the statutory rate beginning on the first day

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of the month following 30 days from the date of notification by the System, with the exception of:

1) Those balances owed for overpayment of disability retirement annuity resulting from excess earned income which are recovered in full in the calendar year in which the overpayment is determined, and

2) Any overpayments with a beginning balance of less than \$1,000.

d) The overpayment will be collected in accordance with the following criteria:

1) Overpayment to benefit recipient. The amount owed must be repaid to the System in a lump sum or by offset against monthly benefits; however, the payment schedule shall not exceed sixty months. Minimum monthly payments will be set according to the following scale based on monthly benefit level:

A) If the benefit recipient's gross monthly benefit is \$1,000 or less, the minimum monthly payment by offset is equal to 5% of the gross;

B) If the benefit recipient's gross monthly benefit is more than \$1,000 but less than \$2,501, the minimum monthly payment by offset is equal to 7.5% of the gross;

C) If the benefit recipient's gross monthly benefit is \$2,501 or more, the minimum monthly payment by offset is equal to 10% of the gross.

2) Overpayment to current contributing or inactive member. The amount owed must be repaid in a lump sum, in monthly payments by check or money order, or by offset against future benefits payable to the overpaid individual (unless the overpayment is required to be collected from the individual's beneficiaries, in which case it will be collected according to the terms of subsection (b)(3) below). If by offset against the overpaid individual's future benefits, at the time the benefits become payable the minimum monthly payments will be determined according to the scale and schedule set forth in subsections (b)(1)(A) through (b)(1)(C) above.

3) Overpayment to benefit recipient now deceased, to be collected from beneficiaries.

A) If the beneficiary is the recipient of monthly benefits, the amount owed must be repaid in the same manner, involving the same payment options, as the schedule of repayments for overpaid contributing or inactive members, set forth in subsection (b)(2) above; provided, however, that no payment schedule may exceed the projected life of the benefit entitlements. For example, if the beneficiary is a minor child, the repayment must be completed before the beneficiary reaches majority.

B) If the beneficiary is the recipient of a lump-sum benefit only, the System will impose a full offset, up to and including, if necessary, the full amount of the lump-sum

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benefit.

4) ~~Overpayment to nonmember or in any other situation in which no future benefits are available or the future benefits are insufficient for a full repayment of the overpaid amount.~~ The System will pursue collection through any available means, including seeking the assistance of the Attorney General, the Debt Collection Bureau Board, or private collection agencies.

5) In any cases in which fraud is suspected in connection with an overpayment, the System will enlist the aid of the Attorney General or such law enforcement agency or prosecutor having appropriate jurisdiction for a determination whether fraud has occurred, and, if it has, for further official action as necessary and appropriate.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994)

## Section 1650.340 Service Credit for Leave of Absence, Sabbatical Leaves, or Involuntary Layoffs

a) Service credit for sabbatical leave shall be granted when the leave meets the requirements of sabbatical leave according to Section 24-6.1 of ~~the School Code~~ [105 ILCS 5/24-6.1] ~~Ill. Rev. Stat.~~ 1991-~~ch. 122, par. 24-6.1~~.

b) For purposes of granting service credit for an approved leave of absence, the statutory return-to-teaching requirement is met when the member establishes credit with this System or the State Universities' Retirement System for at least the lesser of the creditable period of the leave or one year.

c) For purposes of this Section, a leave of absence is creditable as an approved leave if: the member did not resign, the employer promised renewed employment at the end of the leave, and the employer through its board took official action to approve the request for leave, or the leave qualifies as a leave under the Family and Medical Leave Act, as certified by the employer.

d) For purposes of this Section, involuntary layoffs shall not include dismissals for cause or other performance-related reasons. The statutory return-to-teaching requirement is met when the member establishes credit with this System or the State Universities' Retirement System for at least the lesser of the creditable period of the layoff or one year.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994)

## Section 1650.370 Calculation of Average Salary (Renumbered)

(Source: Section 1650.370 renumbered to Section 1650.460 at 18 Ill. Reg.

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## SUBPART E: CONTRIBUTION CREDITS AND PAYMENTS

## Section 1650.440 Small Deficiencies, Credits or Death Benefit Payments

No statements for an account receivable, account payable, death benefit payments, or refunds shall be charged or issued to members, annuitants, beneficiaries or employers for deficiencies, credits or payments, amounting to less than \$25.00 unless demanded. No correction to an annuity shall be made where the correction results in an increase or decrease of less than \$1.00 per month.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994)

## Section 1650.450 Definition of Salary

a) Any emolument of value recognized by the System that is received, actually or constructively, by a member in consideration for services rendered as a teacher, within all applicable limits and restrictions on qualified pension plans contained in the Internal Revenue Code, 26 U.S.C., at Section 401(a) et seq. Subsection (b) of this Section lists the more common elements of compensation that are recognized by the System as "salary," for purposes of illustration. For further illustration, subsection (c) mentions several examples of items not recognized by the System as "salary." However, "salary" within the meaning of Section 16-121 of the Act is not limited to the items so enumerated.

b) Examples of salary amounts to be reported to the System include:

- 1) The gross amount of wages or compensation earned or accruing to the member during the legal school term or the length of his or her employment agreement, whichever is greater, in a function requiring certification as a teacher, and payable by the employer at termination of service;
- 2) Wages or compensation for overtime or extra service;
- 3) The amount payable, exclusive of court costs, attorney's fees and punitive damages, as a result of a settlement or judgment obtained due to a disputed dismissal, suspension or demotion; provided that the salary amount reported to the System under this subsection shall be equal to that which the member would have earned had the dispute not occurred;
- 4) Severance pay (e.g., retirement incentives, lump sum bonuses, payments for unused vacation and sick days) received by member or becoming due and payable to member prior to or concurrent with receipt of final paycheck for regular earnings;
- 5) Contributions made by or on behalf of the member to deferred compensation plans, salary reduction plans or tax sheltered

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annuities; and

- 6) Amounts that would otherwise qualify as salary and wages under Subsections (b)(1) through (b)(5) above but are not received directly by the member because they are used to finance benefit options in a flexible benefit plan; provided, however, that to be reportable, a flexible benefit plan must be available to teachers on a non-discriminatory basis and cannot include non-qualifying deferred compensation.

c) Examples of amounts not to be reported to the System include:

- 1) Any severance payment (e.g., retirement incentives, lump sum bonuses, payments for unused vacation and sick days) becoming due and payable to member subsequent to receipt of final paycheck for regular earnings;
- 2) Any lump sum payment made after the death of the member;
- 3) Expense reimbursements, expense allowances, or fringe benefits unless included in a reportable flexible benefit plan;
- 4) Any monies received by the member under the Workers' Compensation Act or the Workers' Occupational Diseases Act;
- 5) Any amount paid in lieu of previously nonreportable benefits or reported in lieu of previously non-reported compensation where the conversion occurs in the last years of service and one of the purposes is to increase a member's average salary. If the member's non-creditable or non-reported compensation in any of the last seven creditable school years of employment exceeds that of any other subsequent year, the System will presume the difference, unless resulting from the terms of a collective bargaining agreement, to have been converted into salary and wages in the subsequent year for the purpose of increasing final average salary. To overcome the presumption, the member must submit documentary evidence to the System which clearly and convincingly proves that none of the purposes of the change in compensation structure was to increase average salary (for example, collectively bargained agreements, change of employer, change in family status);
- 6) Any amount paid by an employer as the employer's one time contribution (or on behalf of the employee as the employee's one-time contribution) required by the System as part of the statutory early retirement option in Section 16-133.2 of the Act; and
- 7) Options to take salary in lieu of employment-related expense allowances or reimbursements.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994)

## Section 1650.460 Calculation of Average Salary

- a) The member's annual salary rate shall be used by the System when



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calculating average salary. ~~Provided, however, if a member receives less than one year of service credit in any school year, salary shall consist of creditable earnings. If a member has a full year of service credit and the annual salary includes leave of absence earnings and substitute earnings or part-time noncontractual earnings, the annual salary rate for average salary purposes will never be less than the salary rate the leave of absence earnings is based upon. If a member receives less than one year of service credit in any school year, salary shall consist of creditable earnings.~~

- b) The highest four consecutive school years of service within the last ten years of creditable service shall be deemed the four highest consecutive credit years posted to the member's account. Provided, however, if a member is credited with less than one school year, the System shall use partial consecutive years to establish four consecutive years of salary.

(Source: Renumbered from Section 1650.370 and amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994)

## Section 1650.520 Suspension of Retirement-Annuities Benefits

- a) Annuitants receiving a retirement annuity under Section 16-132 of the Act may be employed as teachers not in excess of 100 days or 500 hours within any one school year. Employment in excess of 100 days or 500 hours within any one school year shall result in termination of payment. When such employment has terminated, the member may re-apply for retirement annuity to be payable effective on the day following termination of employment.

- b) Any annuitant may have his or her benefit reduced or terminated upon written request provided, however, that the System shall not be liable for the retroactive payment of a reduced or terminated benefit during the period of time such benefit remains reduced or terminated as the result of the annuitant's request. Such annuitant may have his or her benefit increased or reinstated in full upon written request. Such increase or decrease will take effect the first of the month following the date the written request is received in the System's office.

- c) Monthly benefit payments to annuitants shall be suspended when two monthly warrants remain uncashed. The System shall inquire as to the cause for the non-cashing of the warrants. These and subsequent payments shall be made upon learning the circumstances or whereabouts of the warrants, or upon prompt compliance in cashing same.

- d) Recipients of a non-occupational disability benefit, occupational disability benefit, disability retirement annuity, or a monthly survivor benefit who fail to return documentation of continued eligibility within the specified time period shall have their monthly benefit payment suspended. Upon receipt of the required documentation and upon determination of continued eligibility, these and subsequent payments shall be made.

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(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994)

## Section 1650.560 Benefits Payable on Death

~~Survivor benefits, if applicable, shall be paid in accordance with the law in effect on the date of the death of the annuitant. If money is due, no beneficiary named, the annuitant at the time of death, and there is no will and no administration of the estate is desired or required, then, upon satisfactory proof of death, the System may make payment through a small estate affidavit or an affidavit and indemnification agreement. If the claim to the surviving spouse upon receipt of certification from the spouse that the estate will not be administered, if there is no surviving spouse and no administration of the estate, payment of the claim shall be made to the next of kin through either a small estates affidavit or through the use of an indemnifying bond, without other security if for sums of less than \$500; if for more than \$500, security is required on such bond. If administration is required, payment shall be made to the legal representative of the estate. Whenever death benefits are payable to persons not located, the System shall pay those moneys to the estate or other designated beneficiaries upon receipt of an indemnifying bond.~~

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994)

## Section 1650.620 Right of Appeal

Any individual may appeal a staff disposition of a claim or interpretation of the Act to the Board of Trustees within six months after the staff disposition or interpretation, by filing a written request for an administrative review with the Executive Director. The appeal will be scheduled to be heard at the next meeting of the Board's Claims Hearing Committee (Committee) having space on the agenda for such hearing. The Committee shall be composed of three members of the Board, elected by the Board to serve on the Committee. The Board shall elect an alternate member from the Board to serve on the Committee in the absence of a member of the Committee. Any member(s) of the Committee may be disqualified from hearing an appeal due to bias or conflict of interest in the appeal.

(Source: Amended 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994)

## Section 1650.640 Prehearing Procedure

- a) Upon written notice by the System, a petitioner or his or her attorney shall appear at a mutually agreeable time and place for a prehearing conference for the following purpose: ~~of formulating issues and considering:~~

- 1) The simplification of issues;

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- 2) The amendment of readings pleadings;
  - 3) The making of admissions of facts or stipulations for the purpose of avoiding the unnecessary introduction of evidence;
  - 4) The procedure at the hearing;
  - 5) The limitation of the number of witnesses; and
  - 6) The disclosure of all witnesses (expert and non-expert) to be called to testify at hearing;
  - 7) Disclosure of the substance of the testimony of all witnesses to be called;
  - 8) The exchange of all exhibits to be introduced at hearing; and
  - 9) Such other matters as may aid in the simplification of the evidence and disposition of the proceeding.
- b) The persons attending the prehearing conference may enter into a written stipulation as to matters decided in the prehearing conference. Failure to attend a prehearing conference shall not diminish a person's right to a hearing, but may result in a delay of the hearing.
- c) If after the prehearing conference, a party wishes to undertake further discovery, that party shall submit a written request to the Executive Director and the other party(s) setting forth with sufficient particularity the information sought and the form of discovery requested. The Executive Director shall grant such request upon determining the information is essential to the requesting party's case and the Claims Hearing Committee's full understanding of the issues presented. Any additional witnesses or exhibits identified during further discovery must be exchanged in writing by certified mail at least 14 days prior to hearing.
- d) Any witnesses not disclosed or exhibits not exchanged at the prehearing conference or 14 days prior to hearing, if additional discovery is allowed, shall be barred at hearing unless good cause is shown for such failure to provide. At the discretion of the Chairman of the Board's Claims Hearing Committee, a hearing may be postponed in the interest of fairness to allow a party time to investigate and prepare to respond to newly submitted evidence.
- e) Prior to any meeting of the Claims Hearing Committee, at which one or more administrative reviews are scheduled to be heard, the Claims Hearing Committee shall be furnished memoranda prepared by the System's staff regarding the scheduled administrative review cases, which shall include:
- 1) A statement regarding the action taken by the staff which gave rise to the review;
  - 2) A statement of the petitioner's objections, if available;
  - 3) The basis or reasons for the action taken by the staff;
  - 4) A statement of the results or consequences of an affirmative or opposing decision;
  - 5) Supporting documentary evidence; and
  - 6) Citations to the applicable statute giving rise to the claim or justifying the staff's decision.

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(Source: Amended 18 Ill. Reg. \_\_\_\_\_, effective APR 13 1994)

## Section 1650.650 Hearing Procedure

- a) All administrative review hearings shall be recorded by court reporter tape.
- b) The Chairperson of the Claims Hearing Committee ("Committee") shall preside over the hearing.
- c) Hearings shall be of an informal nature:
  - 1) The Chairperson shall direct all parties to enter their appearances on the record.
  - 2) The parties may be by written stipulation agree upon any facts or any issues involved in the proceeding.
  - 3) The facts stipulated shall be considered as evidence in the proceeding.
  - 4) Irrelevant material or unduly repetitious evidence shall be excluded.
  - 5) Whenever possible, documents and exhibits may be introduced by stipulation of the parties. Originals of documents may be introduced into evidence with leave to substitute the originals with copies, and.
  - 6) All parties shall be offered an opportunity to make oral arguments.
  - 7) All individuals testifying shall be sworn.
- d) Order of Presentation
  - 1) All written briefs, memoranda and evidence shall be submitted to the Committee in advance of the hearing.
  - 2) The System's attorney, or--if--he--or--she--is-unavailable--the System's staff, shall present the System's arguments. position and evidence in support thereof.
  - 3) The petitioner or his or her agent or attorney may then cross-examine the--individual any System's staff testifying in support of presenting the System's position.
  - 4) Following the conclusion of the System's position argument and cross-examination by the petitioner, the petitioner may present his or her witnesses and arguments.
  - 5) Upon conclusion of the petitioner's argument, the System's staff attorney may rebut any argument or new matter raised by the petitioner's presentation.
  - 6) New matters raised at the hearing may require postponement of the hearing until a later date to allow the parties to address the new issues raised.
- 7) 6 Following the presentations of both the System's staff or System attorney and the petitioner, any member of the Committee may ask questions necessary to clarify the Committee's understanding of the facts or law.
- e) Upon conclusion of all arguments, the Committee shall decide, in

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private executive-session deliberations, on a recommendation as to the disposition of the appeal, which recommendation shall be communicated to the Board at its next regular meeting. The Executive Director of the System may be present during the Committee's deliberations.

f) The Committee shall arrive at one of three decisions regarding a recommendation to the Board:

- 1) A recommendation to affirm the administrative action.
- 2) A recommendation to reverse the administrative action.
- 3) A recommendation to remand the proceedings back to the administrative staff for further consideration.

g) The Committee shall have prepared a Proposed Decision for consideration by the Board and the Parties to the hearing.

h) Any Party adversely affected by the Committee's Proposed Decision shall have fifteen (15) days from receipt of the Proposed Decision to file exceptions and a brief in support of their exceptions.

i) The Board of Trustees, at its next regular meeting following the time for filing exceptions, shall act on the recommendation and Proposed Decision of the Committee by adopting the recommendation or rejecting it with directions that the administrative action of the staff be affirmed or reversed (as the case may be), or that the proceedings be remanded to the staff for further consideration and by rejecting or adopting the Proposed Decision (with any changes required by the Board). The decision of the Board of Trustees shall be a final administrative decision for purpose purposes of the Illinois Administrative Review Law [4735 ILCS 5] Ill.-Rev.-Stat.-1991, ch.-1107, par.-3-101-et-seq.

j) The decision of the Board of Trustees shall be communicated to the petitioner in writing within 30 days of the meeting at which the recommendation of the Committee and Proposed Decision ~~was~~ were acted upon.

k) The Board of Trustees shall grant a rehearing or written appeal for the purpose of considering new or additional evidence not previously available. The procedures set forth in this Section shall apply to rehearings.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective APR 15 1994)

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ENVIRONMENTAL PROTECTION AGENCY  
NOTICE OF RECODIFICATION

1) Heading of Part: Illinois Recommended Standards for Sewage Works

2) Code Citation: 35 Ill. Adm. Code 370

3) Date of Administrative Code Division Review: APR 19 1994

4) Headings and Section Numbers of the Part Being Recodified:

Section Numbers:

370.100  
370.111  
370.112  
370.113

370.114

Headings:

Introduction  
General  
Engineering Report  
Detailed Engineering Plan  
Drawings Format  
Specifications to  
Accompany Detailed  
Engineering Plan  
Drawings  
Revisions to Approved  
Plans and Specifications  
Operation During Construction  
Engineers Seal  
General Considerations  
Design Basis  
Details of Design and  
Construction  
Manholes  
Sewers in Relation to Streams  
Protection of Water  
Supplies  
General  
Design  
Suction-Lift Pump Stations  
Submersible Pump Stations -  
Special Considerations  
Alarm Systems  
Emergency Operation  
Instructions and Equipment  
Force Mains  
Plant Location  
Quality of Effluent

370.131  
370.132  
370.133  
370.134  
  
370.135  
370.136  
370.137  
370.138  
370.141  
370.142



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370.143	Design
370.144	Plant Details
370.145	Plant Outfalls
370.146	Essential Facilities
370.147	Safety
370.148	Laboratory
370.151	Screening Devices
370.152	Grit Removal Facilities
370.153	Pre-Aeration
370.161	General Considerations
370.162	Design Considerations
370.163	Sludge and Scum Removal
370.164	Protection and Service Facilities
370.165	Imhoff Tanks
370.166	Septic Tank - Tile System
370.171	General
370.172	Process Selection
370.173	Sludge Thickening
370.174	Anaerobic Sludge Digestion
370.175	Aerobic Sludge Digestion
370.176	Sludge Pumps and Piping
370.177	Sludge Dewatering
370.178	Sludge Disposal
370.181	Trickling Filters
370.182	Rotating Biological Contactors
370.183	Activated Sludge
370.184	Waste Stabilization Ponds and Aerated Lagoons
370.185	Intermittent Sand Filtration for Secondary Treatment
370.191	General
370.192	Methods for Disinfection
370.193	Feed Equipment
370.194	Chlorine Gas Supply
370.195	Piping and Connections
370.196	Housing
370.197	Respiratory Protection Equipment
370.198	Application of Chlorine
370.199	Sampling and Testing
370.201	Applicability
370.202	Type
370.203	High Rate Filtration
370.204	Intermittent Sand Filters

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370.211	Phosphorus Removal by Chemical Treatment
370.212	Ammonia Control
APPENDIX A -	TABLE NO. 1 - RESIDENT OCCUPANCY CRITERIA
APPENDIX B -	TABLE NO. 2 - COMMONLY USED QUANTITIES OF SEWAGE FLOWS FROM MISCELLANEOUS TYPE FACILITIES
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APPENDIX F -	FIGURE NO. 3 - B.O.D. REMOVAL SINGLE STAGE TRICKLING FILTER UNITS INCLUDING POST SETTLING - NO RECIRCULATION INCLUDED
APPENDIX G -	FIGURE NO. 4 - BREAK TANK SKETCH FOR POTABLE WATER SUPPLY PROTECTION
APPENDIX H -	OLD SECTION NUMBERS REFERENCED

5) Outline of the Section Numbers and Headings of the Part as Recodified:

<u>Section Numbers:</u>	<u>Headings:</u>
370.100	Introduction
370.200	General
370.210	Engineering Report
370.220	Detailed Engineering Plan
370.230	Drawings Format
370.240	Specifications to Accompany Detailed Engineering Plan
370.250	Drawings
370.260	Revisions to Approved Plans and Specifications
370.270	Operation During Construction
370.280	Engineers Seal
370.290	General
370.300	Considerations
370.310	Design Basis
370.320	Details of Design and Construction

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370.330	Manholes
370.340	Sewers in Relation to Streams
370.350	Protection of Water Supplies
370.400	General Design
370.410	Suction-Lift Pump Stations
370.420	Submersible Pump Stations - Special Considerations
370.430	Alarm Systems
370.440	Emergency Operation
370.450	Instructions and Equipment
370.460	Force Mains
370.470	Plant Location
370.500	Quality of Effluent Design
370.510	Plant Details
370.520	Plant Outfalls
370.530	Essential Facilities
370.540	Safety
370.550	Laboratory
370.560	Screening Devices
370.570	Grit Removal
370.600	Facilities
370.610	Pre-Aeration
370.620	General
370.700	Considerations
370.710	Design Considerations
370.720	Sludge and Scum Removal
370.730	Protection and Service Facilities
370.740	Imhoff Tanks
370.750	Septic Tank - Tile System
370.800	General
370.810	Process Selection
370.820	Sludge Thickening
370.830	Anaerobic Sludge Digestion
370.840	Aerobic Sludge Digestion
370.850	Sludge Pumps and Piping
370.860	Sludge Dewatering
370.870	Sludge Disposal

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370.900	Trickling Filters
370.910	Rotating Biological Contactors
370.920	Activated Sludge
370.930	Waste Stabilization Ponds and Aerated Lagoons
370.940	Intermittent Sand Filtration for Secondary Treatment
370.1000	General
370.1010	Methods for Disinfection
370.1020	Feed Equipment
370.1030	Chlorine Gas Supply
370.1040	Piping and Connections
370.1050	Housing
370.1060	Respiratory Protection Equipment
370.1070	Application of Chlorine
370.1080	Sampling and Testing
370.1100	Applicability Type
370.1110	High Rate Filtration
370.1120	Intermittent Sand Filters
370.1130	Phosphorus Removal by Chemical Treatment
370.1200	Ammonia Control
370.1210	
APPENDIX A -	TABLE NO. 1 - RESIDENT CCUPANCY CRITERIA
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APPENDIX H - OLD SECTION NUMBERS REFERENCED

6) Conversion Table of Present and Recodified Parts:

<u>Present Part:</u>	<u>Recodified Part:</u>
370.100	370.100
370.111	370.200
370.112	370.210
370.113	370.220
370.114	370.230
370.115	370.240
370.116	370.250
370.117	370.260
370.121	370.300
370.122	370.310
370.123	370.320
370.124	370.330
370.125	370.340
370.126	370.350
370.131	370.400
370.132	370.410
370.133	370.420
370.134	370.430
370.135	370.440
370.136	370.450
370.137	370.460
370.138	370.470
370.141	370.500
370.142	370.510
370.143	370.520
370.144	370.530
370.145	370.540
370.146	370.550
370.147	370.560
370.148	370.570
370.151	370.600
370.152	370.610
370.153	370.620
370.161	370.700
370.162	370.710
370.163	370.720
370.164	370.730
370.165	370.740
370.166	370.750
370.171	370.800

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370.172	370.810
370.173	370.820
370.174	370.830
370.175	370.840
370.176	370.850
370.177	370.860
370.178	370.870
370.181	370.900
370.182	370.910
370.183	370.920
370.184	370.930
370.185	370.940
370.191	370.1000
370.192	370.1010
370.193	370.1020
370.194	370.1030
370.195	370.1040
370.196	370.1050
370.197	370.1060
370.198	370.1070
370.199	370.1080
370.201	370.1100
370.202	370.1110
370.203	370.1120
370.204	370.1130
370.211	370.1200
370.212	370.1210

APPENDIX A -	TABLE NO. 1 - RESIDENT OCCUPANCY CRITERIA
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APPENDIX H -	OLD SECTION NUMBERS REFERENCED



## ILLINOIS EMERGENCY MANAGEMENT AGENCY

## NOTICE OF ADOPTED REPEALER

1) Heading of the Part: Workers' Compensation Coverage

2) Code Citation: 29 Ill. Adm. Code 510

3) <u>Section Numbers:</u>	<u>Adopted Action</u>
510.10	Repeal
510.20	Repeal
510.30	Repeal
510.40	Repeal
510.50	Repeal

4) Statutory Authority: Implementing Section 11(k) and authorized by Section 7(c)(1) of the Illinois Emergency Services and Disaster Agency Act of 1975. 20 ILCS 3305/10

5) Effective date of rules APR 19 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? Yes

8) Date filed in agency's principal office: APR 19 1994

9) Date notice of proposed amendments was published in the Illinois Register: 17 Ill. Reg. 13875 August 27, 1993

10) Whether JCAR has issued a Statement of Objections to this Part: No

11) Differences between the proposal and the final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect: No

14) Are there any other proposed amendments pending on this Part?  
No

15) Summary and Purpose if rules: This rule outlines the requirements for establishment provisions for workers' compensation coverage for ESDA volunteers.

## ILLINOIS EMERGENCY MANAGEMENT AGENCY

## NOTICE OF ADOPTED REPEALER

16) Information and questions regarding these adopted amendments shall be directed to:

David L. Smith  
Illinois Emergency Management Agency  
110 E. Adams St.  
Springfield, IL 62706

## ILLINOIS EMERGENCY MANAGEMENT AGENCY

## NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Local Emergency Services and Disaster Agencies: Establishment, Jurisdiction, and Accreditation

2) Code Citation: 29 Ill. Adm. Code 300

3) Section Numbers: Adopted Action

300.10	Repeal
300.20	Repeal
300.30	Repeal
300.40	Repeal
300.50	Repeal
300.60	Repeal
300.70	Repeal
300.80	Repeal

- 4) Statutory Authority: Implementing Section 11(k) and authorized by Section 7(c)(1) of the Illinois Emergency Services and Disaster Agency Act of 1975. 5 ILCS 100/1-11

5) Effective date of rules APR 19 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? Yes

8) Date filed in agency's principal office: APR 19 1994

9) Date notice of proposed amendments was published in the Illinois Register: 17 Ill. Reg. 13865 August 27, 1993

10) Whether JCAR has issued a Statement of Objections to this Part: No

11) Differences between the proposal and the final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect: No

14) Are there any other proposed amendments pending on this Part?  
No

## ILLINOIS EMERGENCY MANAGEMENT AGENCY

## NOTICE OF ADOPTED REPEALER

- 15) Summary and Purpose if rules: This rule outlines the requirements for establishment provisions for workers' compensation coverage for ESDA volunteers.

16) Information and questions regarding these adopted amendments shall be directed to:

David L. Smith  
Illinois Emergency Management Agency  
110 E. Adams St.  
Springfield, IL 62706

## ILLINOIS EMERGENCY MANAGEMENT AGENCY

## NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Emergency Services and Disaster Agencies: Establishment, Accreditation, and Workers' Compensation
- 2) Code Citation: 29 Ill. Adm. Code 1300
- 3) Section Numbers: Adopted Action
- |         |     |
|---------|-----|
| 1300.10 | New |
| 1300.20 | New |
| 1300.30 | New |
| 1300.40 | New |
| 1300.50 | New |
| 1300.60 | New |

- 4) Statutory Authority: Implementing and authorized by the Illinois Emergency Management Agency Act, 20 ILCS 3305/10 (1992 State Bar Edition) and the Illinois Administrative Procedure Act, 5 ILCS 100/1-11.

APR 19 1994

- 5) Effective date of rules
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? Yes
- 8) Date filed in agency's principal office: APR 19 1994
- 9) Date notice of proposed amendments was published in the Illinois Register: 17 Ill. Reg. 13856 August 27, 1993
- 10) Whether JCAR has issued a Statement of Objections to this Part: No
- 11) Differences between the proposal and the final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect: No
- 14) Are there any other proposed amendments pending on this Part?  
No

## ILLINOIS EMERGENCY MANAGEMENT AGENCY

## NOTICE OF ADOPTED RULES

- 15) Summary and Purpose if rules: This rule outlines the requirements for establishing and accrediting emergency services and disaster agencies and for administering workers' compensation coverage.
- 16) Information and questions regarding these adopted amendments shall be directed to:

David L. Smith  
Illinois Emergency Management Agency  
110 E. Adams St.  
Springfield, IL 62706

The full text of the Adopted Rules begins on the next page:



## EMERGENCY MANAGEMENT AGENCY

## NOTICE OF ADOPTED RULES

TITLE 29: EMERGENCY MANAGEMENT  
 CHAPTER I: EMERGENCY MANAGEMENT AGENCY  
 SUBCHAPTER C: ADMINISTRATION AND ORGANIZATION OF  
 PART 1300  
 EMERGENCY SERVICES AND DISASTER AGENCIES:  
 ESTABLISHMENT, ACCREDITATION, AND WORKERS' COMPENSATION

Section	Purpose
1300.10	Definitions
1300.20	Political Subdivisions Required to Establish and Maintain an
1300.30	Emergency Services and Disaster Agency
1300.40	Requirements for Accreditation of Emergency Services and Disaster Agencies
1300.50	Organization and Administration of Workers' Compensation Coverage
1300.60	Applicability/Eligibility for Workers' Compensation

AUTHORITY: Implementing Section 10 of the Illinois Emergency Management Agency Act, and authorized by Section 5 of the Illinois Emergency Management Agency Act [20 ILCS 3305/10 and 5].

SOURCE: Adopted at 18 Ill. Reg. \_\_\_\_\_, effective  
**APR 19 1994**

## Section 1300.10 Purpose

The purpose of this Part is to establish policy and procedures by which emergency services and disaster agencies may be established by political subdivisions and become accredited by the Illinois Emergency Management Agency thereby providing workers' compensation coverage or workers' occupational disease coverage for emergency services and disaster agency volunteers participating in approved disaster training exercises and actual disaster response and recovery operations.

## Section 1300.20 Definitions

"Accreditation" means the certification granted by the Illinois Emergency Management Agency which serves as recognition that an emergency services and disaster agency has met the requirements to be eligible for requesting workers' compensation coverage pursuant to the IEMA Act.

"Accreditation period" begins on October 1 or on the date that requirements for accreditation are met and concludes on the following September 30.

"Accredited Emergency Services and Disaster Agency" means the emergency services and disaster agency of a political subdivision which has been certified by the Illinois Emergency Management Agency

## EMERGENCY MANAGEMENT AGENCY

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as having met the requirements to be eligible for requesting workers' compensation coverage pursuant to Section 1300.50 of this Part.

"Coordinator" means the staff assistant to the principal executive officer of a political subdivision with the duty of coordinating the emergency management programs of that political subdivision. [20 ILCS 3305/4]

"Disaster" means an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural or technological cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot, or hostile military of paramilitary action. [20 ILCS 3305/4]

"Disaster Training Exercise" means a planned event designed specifically to simulate an actual disaster that will provide emergency operations training for emergency response personnel. Actual response by emergency services and disaster agency volunteers to local emergency situations not qualifying as disasters, as defined in this Section, is considered a disaster training exercise; provided, however, that performance of the usual and customary emergency functions of a political subdivision (e.g., police, fire or emergency medical services) is not included within this definition of a disaster training exercise. [20 ILCS 3305/4]

"Emergency management" means the efforts of the State and the political subdivisions to develop, plan, analyze, conduct, implement and maintain programs for disaster mitigation, preparedness, response and recovery. [20 ILCS 3305/4]

"Emergency Operations Plan (EOP)" means the written plan of the State and political subdivisions describing the organization, mission and functions of the government and supporting services for responding to and recovering from disasters. [20 ILCS 3305/4]

"Emergency Services and Disaster Agency (ESDA)" means the agency established by ordinance within a political subdivision to coordinate the emergency management program within that political subdivision and with private organizations, other political subdivisions, the State and federal governments. [20 ILCS 3305/4]

"ESDA Ordinance" means an ordinance adopted by the governing body of the political subdivision authorizing the establishment of an ESDA which provides for the implementation of an emergency management program consistent with the Illinois Emergency Management Agency Act.

## EMERGENCY MANAGEMENT AGENCY

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"ESDA Personnel Oath" means the written oath taken by each person, whether compensated or non-compensated, who is appointed to serve in any capacity for an ESDA.

"IEMA" means the Illinois Emergency Management Agency.

"IEMA Director's authorized representative" means the IEMA Deputy Director, Duty Officer, or IEMA Regional Coordinator.

"IEMA Region" means any of the substate regions designed to improve administrative and operation control of the IEMA effort.

"Liaison Officer" means the individual, in a municipality not required to have and that has not established an ESDA, who is designated to facilitate the cooperation and protection of a municipal corporation with the ESDA in the county in which it is located.

"Municipal ESDA List" means the list published and maintained by the IEMA of those municipalities required to establish and maintain an ESDA as provided for at Section 10(d) of the Illinois Emergency Management Agency Act.

"Notice of Appointment" means the card submitted to the IEMA which includes the notification of appointment of the ESDA coordinator by the principal executive officer of the political subdivision and the notarized oath of appointment of the coordinator.

"Political Subdivision" means any county, city, village, or incorporated town or township if the township is in a county having a population of more than 2,000,000. [20 ILCS 3305/4]

"Principal Executive Officer" means chairman of the county board, supervisor of a township if the township is in a county having a population of more than 2,000,000, mayor of a city or incorporated town, president of a village, or in their absence or disability, the interim successor as established under Section 7 of the Emergency Interim Executive Succession Act. [20 ILCS 3305/4]

"Statement of Work (SOW)" means the document signed by the coordinator and submitted annually to the IEMA regional office by the ESDA which lists the organizational goals and identifies the planned activities and products for the year.

"Volunteer" means a non-compensated person appointed to serve with the IEMA or an ESDA to perform emergency management or emergency services functions consistent with the IEMA Act and the political subdivision's ESDA ordinance.

#### Section 1300.30 Political Subdivisions Required to Establish and Maintain an

## EMERGENCY MANAGEMENT AGENCY

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#### Emergency Services and Disaster Agency (ESDA)

- a) Each county shall maintain an ESDA that has jurisdiction over and serves the entire county except that county ESDAs shall not have jurisdiction in municipalities with established ESDAs of their own. Each municipality with a population over 500,000 shall maintain an "ESDA."
- b) Each municipality determined by the Governor on the basis of the municipality's disaster vulnerability and capability of response related to population size and concentration whose name appears on the Municipal ESDA List shall maintain an ESDA. Municipalities required to establish and maintain an ESDA pursuant to the Municipal ESDA List are: None.
- c) Each municipality that does not maintain an ESDA shall have a liaison officer designated to facilitate cooperation with the ESDA in the county in which the municipality is located.

#### Section 1300.40 Requirements for Accreditation of Emergency Services and Disaster Agencies

- a) Political Subdivisions required by the IEMA Act to maintain an ESDA must meet the following requirements in order to have an accredited ESDA:
  - 1) Adopt an ESDA ordinance;
  - 2) Appoint an ESDA coordinator and furnish a Notice of Appointment card, notarized on the back, to the IEMA regional office;
  - 3) Complete an emergency operations plan (EOP) and submit it to the IEMA regional office for approval and update the EOP biennially; and
  - 4) Complete a Statement of Work annually and submit it to the IEMA regional office for approval.
- b) Accreditation will be issued for a fixed period with a termination date. Accreditation will be renewed for each accreditation period if the accreditation requirements continue to be met. An Accreditation Certificate will be issued to each accredited ESDA for the accreditation period.
- c) Based on the recommendation of the Chief, Division of Field Services or the IEMA regional coordinator, accreditation of a political subdivision will be terminated by the IEMA Director in the following manner:
  - 1) The IEMA Director will inform the principal executive officer of the political subdivision of the deficiency in writing based on the failure to meet or maintain the requirements for accreditation.
  - 2) The political subdivision will have 30 days during which the deficiency may be remedied.
  - 3) After the 30-day period, the political subdivision's compliance with accreditation requirements will be reviewed. If the deficiency still exists, accreditation will be terminated.

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- 4) The principal executive officer will be notified of the final action in writing.
- d) After an ESDA's submittal of the required documents for annual renewal of accreditation, the ESDA's accreditation will continue unless notified to the contrary by the IEMA Director as set forth in subsections (c)(1) through (c)(4) above.

#### Section 1300.50 Organization and Administration of Workers' Compensation Coverage

##### a) Workers' Compensation Coverage Requests

- 1) ESDA volunteers responding to a disaster as defined in Section 1300.20 will be covered under the provisions of Section 10(k) of the Illinois Emergency Management Agency Act provided that:
  - A) the IEMA is notified at the time of the response; and
  - B) the IEMA Workers' Compensation Coverage form is submitted so that it is received by the IEMA regional office within ten (10) calendar days after the response.

- 2) ESDA volunteers participating in a disaster training exercise as defined in Section 1300.20 will be covered under the provisions of Section 10(k) of the Illinois Emergency Management Agency Act provided that:
  - A) If the disaster training exercise is a planned event designed specifically to simulate an actual disaster, the IEMA Workers' Compensation Coverage form is received by the IEMA regional office at least five (5) calendar days in advance of the event.

- B) If the disaster training exercise is an actual response to a local emergency situation:
  - i) the IEMA regional office is notified at the time of response; and
  - ii) the IEMA Workers' Compensation Coverage form is submitted so that it is received by the IEMA regional office within ten (10) calendar days after the response.

##### b) General Provisions for Workers' Compensation Coverage Requests for Scheduled Disaster Training Exercises

- 1) Requests shall be made for specific dates only.
- 2) Requests must not be submitted more than 30 days prior to the date of the scheduled exercise.
- 3) The IEMA Director or the Director's authorized representative will notify the ESDA of workers' compensation coverage in advance of each scheduled disaster training exercise.

##### c) Claims for Workers' Compensation

- 1) All claims for workers' compensation under the Illinois Emergency Management Agency Act must be submitted to the IEMA regional office. The following forms must be submitted:
  - A) A copy of the approved IEMA Workers' Compensation Coverage form;

## EMERGENCY MANAGEMENT AGENCY

## NOTICE OF ADOPTED RULES

- B) A copy of claimant's signed oath;
  - C) Employer's First Report of Injury or Illness;
  - D) Workers' Compensation Employee's Notice of Injury;
  - E) Workers' Compensation Witness Report;
  - F) Workers' Compensation Medical Report;
  - G) Supervisor's Report of Accident; and
  - H) Information Release Authorization.
- 2) Claims will be processed in accordance with the Workers' Compensation Act.

#### Section 1300.60 Applicability/Eligibility for Workers' Compensation

##### a) General Requirements for Coverage

- 1) Claimant must be a duly sworn ESDA volunteer as provided at Section 20 of the Illinois Emergency Management Agency Act.
- 2) The ESDA, of which claimant is a volunteer, must be accredited by the IEMA as provided in this Part.
- 3) The ESDA, of which claimant is a volunteer, must comply with Section 1300.50 of this Part.
- b) ESDA volunteers, on call at home or work, who qualify for workers' compensation coverage under subsection (a) of this Section, are deemed to have portal to portal coverage when they are summoned by their ESDA coordinator or designee to respond to a disaster or a disaster training exercise.



## ILLINOIS EMERGENCY MANAGEMENT AGENCY

## NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Emergency Management Assistance Program

- 2) Code Citation: 29 Ill. Adm. Code 1310

- 3) Section Numbers: Adopted Action

1310.10	New
1310.20	New
1310.30	New
1310.40	New
1310.50	New

- 4) Statutory Authority: Implementing and authorized by the Federal Emergency Management Agency Regulations (44 CFR 302, April 11, 1986 and 5 CFR 900, March 4, 1983) and the Illinois Emergency Management Agency Act [5 ILCS 100/1-11]

- 5) Effective date of rules APR 19 1994

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference? Yes

- 8) Date filed in agency's principal office: APR 19 1994

- 9) Date notice of proposed amendments was published in the Illinois Register: 17 Ill. Reg. 13843 August 27, 1993

- 10) Whether JCAR has issued a Statement of Objections to this Part: No

- 11) Differences between the proposal and the final version: None

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will these amendments replace emergency amendments currently in effect: No

- 14) Are there any other proposed amendments pending on this Part?  
No

## ILLINOIS EMERGENCY MANAGEMENT AGENCY

## NOTICE OF ADOPTED RULES

- 15) Summary and Purpose of rules: This rule outlines the requirements for eligibility to participate in the Federal emergency management assistance program; explains the formula used for allocating funds; and lists the procedures that participants must follow to receive matching funds.

- 16) Information and questions regarding these adopted amendments shall be directed to:

David L. Smith  
Illinois Emergency Management Agency  
110 E. Adams St.  
Springfield, IL 62706

The full text of the Adopted Rules begins on the next page:

## ILLINOIS EMERGENCY MANAGEMENT AGENCY

## NOTICE OF ADOPTED RULES

TITLE 29: EMERGENCY MANAGEMENT  
CHAPTER 1: ILLINOIS EMERGENCY MANAGEMENT AGENCY  
SUBCHAPTER c: ADMINISTRATION AND ORGANIZATION OF  
EMERGENCY SERVICES AND DISASTER AGENCIES

PART 1310  
EMERGENCY MANAGEMENT ASSISTANCE PROGRAM

Section	Purpose and Objectives
1310.10	Definitions
1310.20	Eligibility for Political Subdivisions to Apply and Participate in the Emergency Management Assistance (EMA) Program
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**AUTHORITY:** Implementing Section 10 and authorized by Section 5 of the Illinois Emergency Management Agency Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1055 and 1050) [20 ILCS 3305/10 and 5].

**SOURCE:** Adopted at 18 Ill. Reg. \_\_\_\_\_, effective APR 19 1994.

## Section 1310.10 Purpose and Objectives

- a) The purpose of this Part is to establish policy and procedures to administer the Emergency Management Assistance (EMA) Program to provide support for essential emergency management personnel and administrative expenses for political subdivisions as provided by the Federal Emergency Management Agency through Federal contributions "for up to one-half of eligible expenses such as salaries, benefits, travel, office supplies and administrative equipment, rent, maintenance of office space, utilities and insurance" (Civil Preparedness Guide (CPG) 1-3, ch. 2).
- b) The objectives of the EMA Program are:

- 1) to ensure that ESDAs are established and maintained in political subdivisions to provide the basis for a national capability of dealing effectively with catastrophic disasters and national security emergencies; and
- 2) to increase the operational capability for emergency management at local levels of government by assisting political subdivisions to maintain and improve ESDAs with key positions filled by trained, experienced professionals and specialists (CPG 1-3, ch. 2).

## Section 1310.20 Definitions

"Capability and Hazard Identification Program (CHIP)" means the Federal program for which states and political subdivisions that

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receive EMA funding are required to update the nationwide emergency management database by submitting information in accordance with CPG 1-36, 1-35 and 1-35a.

"Civil Preparedness Guides (CPGs)" means the publications that provide guidance and information on certain emergency management programs administered by the Federal Emergency Management Agency (FEMA) to states and through states to local governments as authorized by the Federal Civil Defense Act of 1950, as amended. CPGs supplement FEMA rules and regulations and describe policies, criteria, and restrictions, and reference and define the applications of other Federal laws, rules and regulations that are applicable to those FEMA-administered financial assistance programs. CPGs provide FEMA, states and local governments a consolidated point of reference for administering those FEMA emergency management programs. Copies of these publications are available at the Illinois Emergency Management Agency office located at 110 East Adams, Springfield, Illinois 62706 or at any regional office.

"Coordinator" means the staff assistant to the principal executive officer of a political subdivision with the duty of coordinating the emergency management programs of that political subdivision. [20 ILCS 3305/4]

"Emergency Management" means the efforts of the State and political subdivisions to develop, plan, analyze, conduct, implement and maintain programs for disaster mitigation, preparedness, response and recovery. [20 ILCS 3305/4]

"Emergency Management Assistance (EMA)" means the Federal program that aids in the development of effective emergency management in the State and in the political subdivisions by providing Federal financial contributions of up to 50 percent of the IEMA and the ESDA employees' salaries and benefits, travel and other administrative expenses.

"Emergency Operations Plan (EOP)" means the written plan of the State and political subdivisions describing the organization, mission, and functions of the government and supporting services for responding to and recovering from disasters. [20 ILCS 3305/4]

"Emergency Services and Disaster Agency (ESDA)" means the agency established by ordinance within a political subdivision to coordinate the emergency management program within that political subdivision and with private organizations, other political subdivisions, the State and federal governments. [20 ILCS 3305/4]

"ESDA Administrative Staff" means the employee(s) of the political subdivision assigned to perform administrative duties on a full or part-time basis for the political subdivision's ESDA.

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"ESDA Ordinance" means an ordinance adopted by the governing body of a political subdivision authorizing the establishment of an ESDA which provides for the implementation of an emergency management program consistent with the Illinois Emergency Management Agency Act.

"ESDA Personnel Oath" means the written oath taken by each person, whether compensated or non-compensated, who is appointed to serve in any capacity for an ESDA.

"Exercise" means an activity designed in accordance with the multi-year exercise plan to promote emergency preparedness; test or evaluate the EOP, procedures or facilities; train personnel in emergency management duties; and demonstrate operational capability.

"Federal Fiscal Year (FFY)" is the Federal budget period that begins on October 1, each year and ends the following September 30. The Federal Fiscal Year is divided into four quarters. The first quarter, October 1 - December 31; the second quarter, January 1 - March 31; the third quarter, April 1 - June 30; and the fourth quarter, July 1 - September 30.

"FEMA" means the Federal Emergency Management Agency.

"Grant Agreement" means the document between the Illinois Emergency Management Agency and the ESDA in which each agree annually to specific terms and conditions of the EMA Program grant based on the State fiscal year, July 1 through June 30.

"IEMA" means the Illinois Emergency Management Agency.

"IEMA Region" means any of the substate regions designed to improve administrative and operational control of the IEMA effort.

"Local Civil Rights Compliance Checklist" means FEMA Form 14-4 used by ESDAs to assure compliance with Title VI of the Civil Rights Act of 1964.

"Merit System Compliance" refers to the statutory requirement for certification by the Principal Executive Officer of the political subdivision's system of personnel administration that complies with the personnel standards established by the Office of Personnel Management.

"Notice of Appointment Card" means the card submitted to the IEMA regional office which includes the notification of appointment of the ESDA coordinator by the principal executive officer of the political subdivision and the notarized oath of appointment of the coordinator.

"Office of Personnel Management (OPM)" means the office within the

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Federal government that, under the provisions of the Intergovernmental Personnel Act, as amended, is responsible for setting personnel standards that are to be followed by states and political subdivisions as a condition of participation in Federal assistance programs that require a merit system of personnel administration for personnel engaged in such programs.

"Political Subdivision" means any county, city, village, or incorporated town or township if the township is in a county having a population of more than 2,000,000. [20 ILCS 3305/4]

"Principal Executive Officer (PEO)" means chairman of the county board in the county, supervisor of any township if the township is in a county having a population of more than 2,000,000, mayor of a city or incorporated town, president of a village, or in their absence or disability, the interim successor as established pursuant to Section 7 of the Emergency Interim Executive Succession Act. [20 ILCS 3305/4]

"Statement of Work (SOW)" means the document signed by the coordinator and submitted annually to the IEMA regional office by the ESDA that lists the organizational goals and identifies the planned activities and products for the year.

# Section 1310.30 Eligibility for Political Subdivisions to Apply and Participate in the Emergency Management Assistance (EMA) Program

a) Eligibility to Apply for the EMA Program shall be as follows:

- 1) All political subdivisions required by the IEMA Act to maintain an ESDA shall be eligible to submit an application for acceptance into the EMA Program;
- 2) Municipalities currently receiving EMA funding may continue to submit an application for funding; and
- 3) Municipalities not currently participating in the EMA Program and not required to maintain an ESDA shall not be eligible to apply for EMA funding.

b) In order to participate in the EMA Program, the political subdivision shall:

- 1) Establish an ESDA by adopting an ESDA Ordinance;
- 2) Appoint an ESDA coordinator and furnish a Notice of Appointment Card, notarized on the back, to the IEMA regional office;
- 3) Comply with Title VI of the Civil Rights Act of 1964;
- 4) Have a personnel policy containing merit principles consistent with the Office of Personnel Management (OPM) standards as they appear in 5 CFR 900, Subpart F, that covers all paid ESDA administrative staff other than the coordinator;
- 5) Submit a Personnel Policy Certificate of Compliance, IEMA Form 100, signed by the principal executive officer of the ESDA coordinator, annually to the IEMA regional office; and
- 6) Conduct an annual audit on the political subdivision pursuant to



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the "Single Audit Act of 1984" (31 USC 7501 through 7507).

c) Furthermore, participating ESDAs in each eligible political subdivision shall:

- 1) Complete an Emergency Operations Plan (EOP) that complies with criteria outlined by FEMA in CPG 1-8 and CPG 1-8a and submit it to the IEMA regional office for approval;
- 2) Provide an emergency management work effort by the paid ESDA administrative staff of at least 50 percent of the political subdivision's standard work week;
- 3) Complete a Statement of Work (SOW) annually and submit it to the IEMA regional office for approval. The SOW shall include provisions to meet the following requirements:
  - A) Submit the SOW quarterly reports identifying activities and accomplishments to the IEMA regional office;
  - B) Update the EOP biennially and submit the revised EOP to the IEMA regional office for approval;
  - C) Submit a copy of the annual audit performed on the political subdivision to the IEMA regional office;
  - D) Submit or update the information in the Capability and Hazard Identification Program (CHIP) biennially or when requested by FEMA;
  - E) Conduct an annual exercise as scheduled in the multi-year exercise plan that involves the implementation of the political subdivision's EOP and submit documentation to the IEMA regional office on FEMA Form 95-16 within 15 days following the quarter in which the exercise was conducted; and
  - F) Attend emergency management training courses required by FEMA.

## Section 1310.40 IEMA Allocation Formula and Allocation Procedures

a) The EMA Allocation Formula shall be as follows:

- 1) EMA funds are allocated annually by FEMA to the IEMA and shall be divided in accordance with CPG 1-3, Chapter 2, Sections 2-7.
- 2) Two-thirds of the allocation is provided to local governments and is divided between eligible political subdivisions by using the following formula:
  - A) 10 percent Fixed Share: These funds shall be divided equally between the political subdivisions required by the IEMA Act to maintain an ESDA;
  - B) 40 percent Population Share: These funds shall be divided among all eligible political subdivisions applying for EMA on a per capita basis according to the most recent census as published by the Secretary of State's Office. Counties with municipalities participating in the EMA program shall have their population figures reduced by the population of those municipalities; and
  - C) 50 percent Program Share: These funds shall be divided

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among each eligible political subdivision applying for EMA based on the percentage of total EMA funds utilized by the ESDA during the preceding Federal Fiscal Year.

b) The EMA Allocation Procedures shall be as follows:

- 1) All political subdivisions required by the Illinois Emergency Management Agency Act to maintain an ESDA and those municipalities eligible for EMA funding in accordance with Section 1310.30(a)(2) of this Part shall be included in the initial allocation process.
- 2) Those counties not applying for the EMA program shall be allowed one-half of their initial allocation amount should they meet all participation requirements and make application prior to the current FFY's third quarter. The remaining one-half of the allocation is immediately reallocated to other EMA participants based on the EMA formula.
- 3) The EMA allocation amount for each EMA program participant shall be based on the Federal EMA allocation to the State and determined annually by the EMA allocation formula. When the ESDA's allocation amount exceeds the ESDA's accepted EMA application amount, the EMA application amount will be used.
- 4) Any ESDA that has not satisfied all EMA requirements by the end of the fourth quarter (September 30), or has failed to amend their current year's SOW and receive approval for the amendment from the IEMA regional office by the end of the fourth quarter (September 30), will be denied the fourth quarter reimbursement. Funds reallocated after the fourth quarter will result in a fifth payment reimbursed to all eligible ESDAs.
- 6) Any political subdivision that has not maintained eligibility for the entire year will not be eligible for a reallocation of the fifth payment.

## Section 1310.50 IEMA Program Participation Procedures

a) EMA Application Submittal

- 1) The required forms for the annual EMA application will consist of:
  - A) An original and one copy of the IEMA Form 200 with required attachments - FY\_\_\_\_ (multi-year) EMA Application; and
  - B) An original and one copy of FEMA Form 85-17, June 90, Emergency Management Assistance Staffing Pattern.
- 2) Additional forms as applicable will consist of:
  - A) An original and one copy of the IEMA Form 100, Personnel Policy Certificate of Compliance;
  - B) An original and one copy of the IEMA Form 400, Application for Reimbursement of Rent, Maintenance and/or Utility Services Charges; and
  - C) An original and one copy of the IEMA Form 300, Personnel Action Request.
- 3) Timetable.

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- A) The EMA application forms will be made available to all counties and current participating municipalities.
- B) The ESDA coordinator shall insure that completed application forms are received in the IEMA regional office by the close of business on the last working day in August.
- C) Following processing, the IEMA shall return a copy of the accepted forms to the ESDA by the last working day of September.

## b) Claim Submittals

- 1) General provisions.
- A) Claims for reimbursement shall be made on a quarterly basis and must be received by the IEMA regional office no later than 45 calendar days after the last day of the preceding quarter.

- B) A complete claim submittal consists of the following:

- i) An original and two copies of IEMA Form 234, Local Management Expenses and Payrolls Claimed for EMA Contributions;
- ii) An original and two copies of FEMA Form 85-21, Local Emergency Management Expenses Claim for EMA Contributions; and
- iii) A completed SOW quarterly report.

- C) The IEMA regional office reserves the right to request support documentation on claims where additional information is necessary to validate the eligibility of the claim.

- 2) Expenses allowed: Specific allowable expenses under the EMA Program are those which conform with the guidelines found in CPG 1-3, Ch. 2.

- 3) Expenses that require prior IEMA written approval include:

- A) The purchases of eligible administrative equipment with a unit acquisition cost in excess of \$1,000; and
- B) The initial approval for and changes to:
  - i) Rent;
  - ii) Maintenance and janitorial services;
  - iii) Utility costs (gas, water, heat, electricity); and
  - iv) Reimbursement in lieu of rent, gas, water, heat and electricity.

- 4) Expenses that require prior FEMA written approval include:

- A) Automated data processing equipment;
- B) Emergency management related software; and
- C) Indirect costs.

- 5) Each ESDA shall have a signed Grant Agreement on file prior to the processing of any claim for reimbursement.

## c) Denials and Removal from Eligibility

- 1) Quarterly claims may be denied for the following reasons:

- A) Failure to submit claim to the IEMA regional office within 45 calendar days after the end of the quarter for which funds are claimed;
- B) Failure to correct or provide requested documentation to

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- support the claim within ten working days after the request;
- C) Failure to submit a completed SOW quarterly report with the EMA claim;

- D) Failure to maintain a current approved Emergency Operations Plan (EOP);

- E) Failure to submit or update the Capability and Hazard Identification Program (CHIP) information; and

- F) Failure to maintain eligibility for Emergency Management Assistance funding in accordance with CPC 1-3 and Section 1310.30 of this Part.

- 2) Political subdivisions not required to maintain an ESDA shall be removed from eligibility for Emergency Management Assistance funding for any of the following reasons:

- A) Failure to meet eligibility standards in accordance with CPC 1-3 and Section 1310.30 of this Part at time of annual EMA submission;

- B) Failure to submit an annual EMA application in accordance with Section 1310.50(a) of this Part; and

- C) Failure to maintain eligibility or receive EMA funding for four consecutive quarters.

## d) Appeals

- 1) If an ESDA has reason to believe that a claim or part of a claim for reimbursement was incorrectly denied, they have a right to appeal.

- 2) The ESDA coordinator may, within 45 days after notice of denial, appeal the denial in writing to the Chief, Division of Field Services, IEMA. The appeal must include the following:

- A) Specific identification of the item or submission being appealed;

- B) Narrative explanation from the ESDA for the appeal; and
- C) Specific applicable statutory, Administrative Rule, and/or CPG references supporting the ESDA appeal.

- 3) Upon receipt of an appeal, the Chief, Division of Field Services, IEMA, shall have 45 days to review the submission and advise the ESDA of the decision and rationale for the decision.

- 4) If the ESDA believes the denial of an appeal was inappropriate, the final written appeal may be made to the IEMA Director. The decision of the IEMA Director will be final.

- 5) Appeals for fourth quarter claims must be settled by December 15 following the end of the Federal Fiscal Year.

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1) Heading of the Part: Public Information, Rulemaking, Organization and Personnel

2) Code Citation: 2 Ill. Adm. Code 600

3)	<u>Section Numbers:</u>	<u>Adopted Action:</u>
	600.10	New Section
	600.110	New Section
	600.120	New Section
	600.210	New Section
	600.220	New Section
	600.610	New Section
	600.614	New Section
	600.618	New Section
	600.622	New Section
	600.626	New Section
	600.630	New Section
	600.634	New Section
	600.638	New Section
	600.642	New Section
	600.646	New Section
	600.650	New Section
	600.654	New Section
	600.658	New Section
	600.662	New Section
	600.666	New Section
	600.670	New Section
	600.674	New Section
	600.678	New Section
	600.682	New Section
	600.686	New Section
	600.690	New Section
	600.694	New Section
	600.698	New Section
	600. Appendix A	New Section
	600. Appendix B	New Section

4) Statutory Authority: Implementing Section 5-15 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-15) [5 ILCS 100/5-15] and Section 2-10 of the Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, par. 302-10) [30 ILCS 5/2-10] and authorized by Section 2-12(a) of the Illinois State Auditing Act (Ill. Rev. Stat.

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1991, ch. 15, par. 302-12(a)) [30 ILCS 5/2-12(a)].

5) Effective Date of Rules: May 1, 1994

6) Does this rulemaking contain an automatic repeal date? No.

7) Does this rule contain any incorporations by reference? Yes. The following rules of the Office of the Auditor General are incorporated by reference into these rules: 2 Ill. Adm. Code 601, Freedom of Information; 74 Ill. Adm. Code 420 Subpart G, Maintenance of Information; 74 Ill. Adm. Code 440, Subpart A. Standards of Construction for Rules; and 74 Ill. Adm. Code 440, Subpart B. Definitions.

8) Date filed in agency's principal office: March 22, 1994

9) Notice of proposal published in Illinois Register: Prior publication in the Illinois Register is not required.

10) Has JCAR issued a statement of objections to these rules? Prior review by JCAR is not required.

11) Difference(s) between proposal and final version: None. See response to question 9.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Prior review by JCAR is not required.

13) Will this rule replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this part? No.

15) Summary and purpose of rules: These are required and internal rules of the Office of the Auditor General. The required rules, adopted pursuant to Section 5-15 of the Illinois Administrative Procedure Act, are contained in Subpart A (Public Information), Subpart B (Rulemaking Procedures), and Subpart C (Organization). Subpart D contains the Office's internal rules governing personnel. The last prior amendments to this Part were in 1987. Due to the number of changes that were required to update the rules, the agency deemed it advisable to repeal the entire part (a concurrent rulemaking) and adopt a new part (this rulemaking).

16) Information and questions regarding these adopted rules shall be directed to:

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Rebecca Patton  
 Legal Counsel  
 Office of the Auditor General  
 509 South Sixth St.  
 Springfield, IL 62701  
 (217) 782-6698

The full text of the rules begins on the next page:

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TITLE 2: GOVERNMENTAL ORGANIZATION  
 SUBTITLE C: CONSTITUTIONAL OFFICERS  
 CHAPTER V: AUDITOR GENERAL

## PART 600

## PUBLIC INFORMATION, RULEMAKING, ORGANIZATION AND PERSONNEL

## SUBPART A: PUBLIC INFORMATION

Section  
 600.10  
 Procedures for the Public to Obtain Information

## SUBPART B: RULEMAKING PROCEDURES

Section  
 600.110  
 600.120  
 Introduction  
 Rulemaking Procedures

## SUBPART C: ORGANIZATION

Section  
 600.210  
 600.220  
 Introduction  
 Description of Organization of Office of the Auditor General

## SUBPART D: PERSONNEL

Section  
 600.610  
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 Introduction  
 Position Classification and Compensation  
 Application and Appointment  
 Work Schedule and Attendance  
 Continuous Service  
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600.662	Employee Conduct
600.666	Discipline and Discharge
600.670	Grievance Procedure
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600.678	Vacation Leave
600.682	Leave for Personal Business
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600.694	Overtime
600.698	Interpretation and Application of Rules

600. APPENDIX A	Internal Office Rulemaking Procedures--Flow Chart
600. APPENDIX B	Organization Chart

**AUTHORITY:** Implementing Section 5-15 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-15) [5 ILCS 100/5-15] and Section 2-10 of the Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, par. 302-10) [30 ILCS 5/2-10] and authorized by Section 2-12(a) of the Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, par. 302-12(a)) [30 ILCS 5/2-12(a)].

**SOURCE:** Personnel rules filed effective July 27, 1976; amended at 2 Ill. Reg. 52, p. 237, effective December 28, 1978; amended at 3 Ill. Reg. 41, p. 138, effective October 11, 1979; amended at 4 Ill. Reg. 1, p. 20, effective December 30, 1979; amended at 4 Ill. Reg. 12, p. 526, effective March 6, 1980; amended at 5 Ill. Reg. 8625, effective August 12, 1981; amended at 6 Ill. Reg. 7780, effective June 18, 1982; amended at 6 Ill. Reg. 11837, effective September 17, 1982; amended at 7 Ill. Reg. 9983, effective August 8, 1983; codified as Subpart D at 8 Ill. Reg. 1968; amended at 8 Ill. Reg. 3576, effective March 12, 1984; Procedures to be Followed by the Public in Obtaining Information (Article 3) adopted at 4 Ill. Reg. 26, p. 144, effective June 13, 1980; Internal Office Rulemaking Procedures adopted at 4 Ill. Reg. 26, p. 147, effective June 13, 1980; Agency Organization adopted at 4 Ill. Reg. 26, p. 151, effective June 13, 1980; Public Information, Rulemaking and Organization codified at 8 Ill. Reg. 18070; amended at 9 Ill. Reg. 7889, effective May 13, 1985; amended at 9 Ill. Reg. 18439, effective November 20, 1985; amended at 11 Ill. Reg. 10857, effective May 29, 1987; Part repealed, new Part adopted at \_\_\_\_ Ill. Reg. \_\_\_\_\_, effective May 1, 1994.

## SUBPART A: PUBLIC INFORMATION

Section 600.10 Procedures for the Public to Obtain Information

Procedures for the public to obtain information are contained in 74 Ill. Adm. Code 420. Subpart

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G (Maintenance of Information) and in 2 Ill. Adm. Code 601 (Freedom of Information), which are incorporated herein by reference.

## SUBPART B: RULEMAKING PROCEDURES

## Section 600.110 Introduction

## a) Subject

This Subpart describes the internal rulemaking procedures of the Office of the Auditor General.

## b) Authority

The authority for this Subpart is found in:

- 1) The Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, pars. 302-12(a) and 303-7(g)(1)) [30 ILCS 5/2-12(a) and 5/3-7(g)(1)]; and
- 2) The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-15) [5 ILCS 100/5-15].

## c) Incorporations

The following materials are incorporated by reference and made a part of this Subpart:

- 1) 74 Ill. Adm. Code 440, Subpart A. Standards of Construction for Rules; and
- 2) 74 Ill. Adm. Code 440, Subpart B. Definitions.

## Section 600.120 Rulemaking Procedures

## a) Description of Rulemaking Procedures

- 1) Rulemaking procedures may be initiated three ways:

- A) Rulemaking required by legislative or other governmental acts;
- B) Rulemaking initiated by recognition of a necessary rule by the audit or administrative functions of the office; and
- C) A petition from parties outside the office for the office to undertake rulemaking in a particular area.

- 2) All rulemaking, when initiated, is referred to Legal Counsel for the purpose of drafting a proposed rule. After the rule is drafted, it is circulated in-house for comments. After comments have been made, the draft is analyzed by Legal Counsel and other appropriate parties for revision. The revised draft is then adopted as a proposed rule and published, processed, evaluated, revised, adopted and filed as a rule pursuant to the requirements of the Illinois Administrative Procedure Act and the Illinois State Auditing Act.

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- b) Flow Chart of Rulemaking Procedures  
The Flow Chart of Rulemaking Procedures is found in Section 600. Appendix A of this Part.

## SUBPART C: ORGANIZATION

## Section 600.210 Introduction

- a) Subject  
This Subpart sets out the organization of the Office of the Auditor General.
- b) Authority  
The authority for this Subpart is found in:  
1) The Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, par. 302-12(a)) [30 ILCS 5/2-12(a)]; and  
2) The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-15) [5 ILCS 100/5-15].
- c) Incorporations  
The following materials are incorporated by reference and made a part of this Subpart:  
1) 74 Ill. Adm. Code 440.Subpart A, Standards of Construction for Rules;  
and  
2) 74 Ill. Adm. Code 440.Subpart B, Definitions.

## Section 600.220 Description of Organization of Office of the Auditor General

The Office of the Auditor General is organized as shown in Appendix B for the conduct of the responsibilities mandated by the Illinois State Auditing Act.

## SUBPART D: PERSONNEL

## Section 600.610 Introduction

- a) General  
1) Subject  
This Subpart establishes the basic policies governing personnel in the Office of the Auditor General.
- 2) Equal Employment  
The Office of the Auditor General does not discriminate against any individual on any unlawful basis, including race, color, religion, sex, age, marital status, physical or mental disability, national origin, citizenship,

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- ancestry, military status or unfavorable discharge from military service.
- 3) Scope  
All payroll employees of the Office of the Auditor General are subject to the provisions of this Subpart.

## b) References

## 1) Authority

This Subpart is promulgated under the authority of sections 2-10 and 2-12(a) of the Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, pars. 302-10 and 302-12(a)) [30 ILCS 5/2-10 and 2-12(a)].

## 2) Incorporations

The following materials are incorporated by reference and made a part of this Subpart:

- A) Standards of Construction for Rules, 74 Ill. Adm. Code 440.Subpart A; and  
B) Definitions, 74 Ill. Adm. Code 440.Subpart B.
- c) Definitions

"Auditor General" means the Auditor General of the State of Illinois.

"Certified Employee" means an employee who has satisfactorily completed a required probationary period in the Office after initial hiring from outside the Office.

"Certified Status" means status achieved through the completion of a probationary period.

"Deputy Auditor General" means Deputy Auditor General of the State of Illinois.

"Director" means a designated head of an organizational unit as reflected in the organizational chart. Where appropriate, the term "director" includes the Auditor General and Deputy Auditor General.

"Executive Employee" means a Director, a Legal Counsel, the Assistant to the Auditor General, and other employees as designated in their position descriptions.

"Immediate Family" means spouse, parents, children, siblings, grandparents and other persons abiding within the same household.

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"Office" means Office of the Auditor General.

"Probationary Employee" means an employee serving a probationary period after initial hiring from outside the Office or after appointment to a position within the Office in which the employee has not previously been certified.

"Probationary Period" means a period of approximately six calendar months preceding receipt of notice of certification and after initial hiring from outside the Office or after appointment to a position within the Office in which the employee has not previously been certified.

"State Auditor" means a State payroll employee of the Office who has been authorized by the Auditor General to conduct audits, investigations and studies and who has been appointed State Auditor in accordance with this Subpart.

## Section 600.614 Position Classification and Compensation

## a) Position Classification

- 1) Organizational Structure: The organizational structure of the Office shall be as established by the Auditor General and maintained on file.
- 2) Positions and Service: The establishment and abolition of positions and duties shall be at the discretion of the Auditor General. All employees serve at the discretion of the Auditor General subject to the employee rights established by this Subpart.
- 3) Classification Plan: The Auditor General shall maintain, and revise when necessary, a uniform position classification plan for positions necessary to carry out the duties of the Office. The classification plan shall be based on the similarity of duties and responsibilities assigned so that the same schedule of pay may be equitably applied to all positions within a classification, under the same or substantially the same employment conditions. Employees shall be classified by position and each position classification shall be governed by a formal, written position description approved by the Auditor General. Any change in salary or position description shall be recorded as a personnel transaction.
- 4) Allocation: It is the responsibility of each Director to report to the Personnel Coordinator any significant changes in the duties of any position within the organizational unit. At the request of an employee, a Director, or the Auditor General, a survey, audit, or other investigation shall be

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made to determine the proper allocation of any position to a classification. The Personnel Coordinator shall make a determination as to the proper allocation of the position in question. It shall be the responsibility of the Director of the organizational unit in which the position is located to notify the incumbent of the position of the decision.

## 5) Reconsideration:

- A) Within 30 days after receiving notice of the decision, the employee may make a request in writing of the Personnel Coordinator for reconsideration of the decision. Thereafter, the Personnel Coordinator shall reinvestigate the duties and responsibilities of the position and, if necessary, of related positions. The employee shall be given a reasonable opportunity to be heard.
- B) After the re-investigation, the Personnel Coordinator shall render a decision in writing and it shall be served on the employee in person or by certified mail, return receipt requested, at the employee's last address shown in the personnel file. The effective date of the reconsidered decision shall be the effective date of the allocation decision giving rise to the reconsideration request.
- C) An employee wishing to appeal the reconsidered decision shall be entitled to a hearing by the Grievance Review Committee in accordance with the procedures established in Section 600.670 of this Part.

## b) Compensation Plan

- 1) Establishment of Plan: The Auditor General shall establish and maintain a Pay Plan for all employees. The Pay Plan shall designate a salary range for each position classification. The salary for any particular position shall be fixed by the Auditor General within the designated salary range and based, in his discretion, on the duties, responsibilities and work requirements of that position as they relate to the total duties, responsibilities and work requirements of the Office.
- 2) Provisions of the Pay Plan: The Pay Plan shall provide for starting rates of pay, the time and manner in which subsequent changes of salary may be made and the rate each employee is to be paid. The Pay Plan may also include other provisions not inconsistent with law to assist in the administration of good personnel practices for the Office.

## Section 600.618 Application and Appointment

## a) Applications for Employment

- 1) Notice: Positions shall be advertised in the offices by posting unless the



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Auditor General directs otherwise. Other recruitment methods may be used as deemed appropriate.

- 2) Submission of Application
  - A) Persons seeking employment may submit an application to the Personnel Coordinator.
  - B) Employees seeking positions within the Office may apply in writing to the Personnel Coordinator.
- 3) Screening of Applicants
  - A) Interviews: Directors or their designees are responsible for screening applications for positions. Interviews may be conducted as part of the screening process.
  - B) Examinations: The Auditor General may require applicants to take examinations as a means to assess knowledge, skills and the ability to perform the duties of the position.
- 4) Criteria for Selection
  - A) Selection may be based on education, experience, interviews and examinations, if conducted. Other factors such as experience within the Office may also be considered.
  - B) If, following the screening process, the Director desires to place an applicant in a position, the Director shall submit his or her recommendation along with justification to the Personnel Coordinator, who shall review the recommendation and forward it to the Auditor General for final action.
  - C) After the selection of an applicant and his or her acceptance of the position, a Director or a designee shall submit to the Personnel Coordinator:
    - i) the names and addresses of all applicants who applied for the position or were considered for the position; and
    - ii) other supporting materials prepared according to Office policy.

## b) Appointment

- 1) The Auditor General shall notify applicants in writing of their appointment to a position. Such notification shall state the position classification, work location, starting salary, and the beginning date of employment in the position. Appointments become effective upon the applicant's reporting for work at the place and time designated in the notification.
- 2) Types of Appointments: The following types of appointments may be made by the Auditor General:
  - A) Probationary Employees: All appointments for newly hired employees and current employees to positions in which they have

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not previously held certified status shall be subject to the employee's performance through two (2) consecutive performance appraisals of approximately three (3) months each and receipt of notification that the employee has been certified in the position to which appointed. At any time during this probationary period, newly hired employees may be discharged without notice, cause or any right to a hearing.

- B) Certified Employees: Employees successfully completing a probationary period shall be appointed to certified status. Appointment to certified status shall be effective upon receipt of written notice from the Auditor General or his designee.
- C) Permanent Part Time Employees: Employees authorized by the Auditor General to perform duties and responsibilities on a regular but noncontinuous basis shall be appointed to permanent part-time status. Permanent part time employees shall receive compensation and benefits, if eligible, at a pro-rated proportion of that received by full time employees in that classification.
- D) Acting Status: An employee assigned to acting status for any position shall, at the Auditor General's discretion, be paid in accordance with the salary range allocated to the position and the responsibilities incurred as a result of the acting assignment; provided, however, that such payment shall not be lower than the employee's base salary immediately prior to his or her acting assignment. An employee removed from acting status shall be returned to the same or similar position which he or she held prior to the acting status appointment. The employee's salary shall be not less than his or her salary at the time he or she was appointed to the acting status.
- E) Executive Employees: Executive Employees serve at the discretion of the Auditor General and may be discharged or demoted at any time without notice, cause or any right to a hearing.
- 3) State Auditors: In addition to any other type of status, employees may be appointed as State Auditors at the discretion of the Auditor General.
  - A) Appointment to Status of State Auditor: The Auditor General shall appoint an employee to the status of State Auditor only upon the recommendation of a Director and the employee's successful completion of any required training course. The Auditor General shall institute employees as State Auditors by signing their credentials and placing them in their custody.



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- B) Removal: The Auditor General may remove an employee from State Auditor status. An employee who is terminated is automatically removed from the status of State Auditor. An employee who is removed from the status of State Auditor shall immediately return his or her credentials to a Director or to the Auditor General.
- C) Reinstatement: The Auditor General may reinstate an employee to State Auditor status by returning the credentials to the employee.

## Section 600.622 Work Schedule and Attendance

- a) The Auditor General shall establish and maintain on file a schedule of working hours for the Office.
- b) The Office shall maintain daily attendance records.
- c) An employee shall, whenever possible, provide advance notice of absence from work. For those positions specified in the Pay Plan, any time away from scheduled work hours that is not specifically authorized shall constitute cause for a deduction from pay. Such time shall include tardiness and early departure. An employee who is absent without approval for five (5) consecutive work days without reporting to the appropriate supervisor shall be deemed to have resigned his or her position.

## Section 600.626 Continuous Service

- a) Definition:
- 1) Continuous service is the uninterrupted period of service from the date of original appointment to State service.
  - 2) Employees who have previous State service which qualified for earning of vacation benefits shall be given credit for said service.
- b) Interruptions in Continuous Service: Continuous service shall be interrupted by:
- 1) Resignation; provided, however, that continuous service will not be interrupted by resignation when an employee is employed in another position in State service within four (4) calendar days of resignation;
  - 2) Discharge; provided, however, continuous service shall not be interrupted if the employee is retained in the position after a hearing before the Grievance Review Committee; and
  - 3) Termination.
- c) Deductions from Continuous Service: Except as provided in subsection (d), below, the following shall be deducted from, but shall not interrupt, continuous

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service:

- 1) Time away from work for any leave of absence with or without pay totalling more than thirty (30) days in any calendar year;
- 2) Time away from work because of disciplinary suspensions totalling more than thirty (30) days in any calendar year.
- d) Accrual and Retention of Continuous Service During Certain Leaves: During an absence for family and medical, administrative, military, Peace Corps or Job Corps, disaster service volunteer or service-connected disability leaves, an employee shall retain and accrue continuous service provided appropriate application and return is made as required by Section 600.686 of this Subpart.

## Section 600.630 Personnel Records and Performance Reviews

## a) Personnel Records

- 1) A personnel file shall be established for each employee upon his or her entry into employment and shall be maintained by the custodian designated by the Auditor General. When the following records are maintained, they must be maintained in the personnel file:
  - A) Applications for employment, letters of recommendation, resumes and school transcripts
  - B) Offers and acceptances of employment
  - C) Employee information cards
  - D) Personnel transaction forms
  - E) Written commendations and disciplinary actions
  - F) Annual performance appraisals
  - G) Employee disclosure statements
- 2) Records not otherwise confidential are not made confidential because of their inclusion in the personnel file.
- 3) An employee is entitled to view his or her personnel file during working hours with reasonable notice to the custodian. Certain records in the personnel file, in accordance with the law, may be withheld from the employee's inspection. In addition, personnel files may be viewed by the Auditor General, a Deputy Auditor General, the custodian and other employees, at the discretion of the Auditor General, on a need-to-know basis only.
- 4) An employee shall be notified of any additions to or deletions from his or her personnel file. If an employee disagrees with any information contained in a personnel record, the employee may submit a written statement explaining his or her position for inclusion in the personnel file.
- 5) Performance records shall constitute material in an employee's personnel

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file which is relevant to determining the appropriateness of proposed or recommended personnel transactions.

- 6) Performance records shall be considered in all cases, unless excepted by this Subpart, of promotion, demotion, discharge, layoff, reinstatement, merit salary increases and certification. In considering any potential change in an employee's current status, the employee's most recent performance records may be given greater weight than the employee's earlier performance records.
- b) Performance Evaluations: Performance records shall include an evaluation of employee performance prepared by the Auditor General, a Deputy Auditor General, or a Director or designee at least annually on forms prescribed by the Personnel Coordinator.
  - 1) For an employee serving a six (6) month probationary period, two evaluations shall be prepared and submitted to the personnel file custodian—one at the end of the third month of the employee's probationary period and another before the conclusion thereof.
  - 2) Each employee shall receive an annual performance evaluation. Additional performance evaluations of individual employees may be conducted as deemed necessary.

## Section 600.634 Probationary Status

## a) Probationary Period:

- 1) A probationary period of approximately six (6) months shall be served by a full-time employee who is newly hired from outside the Office.
- 2) A probationary period of approximately six (6) months shall be served by a full-time employee who is promoted. A probationary employee transferred during the probationary period shall serve that portion of the probationary period which was not completed at the time of such transfer.
- 3) The length of a probationary period for a newly-hired permanent part-time employee or a promoted permanent part-time employee shall be determined on a case-by-case basis at the time of hiring or promotion.
- 4) If an employee is absent from work for more than five (5) working days during the probationary period, the probationary period shall be extended by the length of the absence.
- 5) Probationary employees who have not attained certified status shall have no right to grievance procedures with regard to termination, demotion or any other employment action.
- b) Certified Status: A probationary employee shall attain certified status only after successful completion of a probationary period and receipt of notice of

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certification from the Auditor General or his designee.

## Section 600.638 Promotion

- a) Definition: A promotion is the appointment of an employee to a position in a classification with a higher maximum permissible salary than the former classification.
- b) Promotions from Within: Whenever possible and desirable, position vacancies in the Office will be filled from within. If an outside applicant and an internal applicant are equally qualified for a position, the employee may be given preference.
- c) Salary Increases Resulting from Promotion: Upon promotion, the salary of an employee shall be as provided in the Pay Plan.
- d) Failure to Complete Probationary Period:
  - 1) A promoted, certified employee who fails to satisfactorily complete the probationary period in the promoted position because of inability to perform the duties and responsibilities of the promoted position shall be returned to a position in the classification from which promoted without the appeal rights specified in Section 600.670 of this Part.
  - 2) A promoted employee may be discharged during the probationary period and, in such event, the employee has the same rights to appeal as a certified employee.
  - 3) Employees who are not certified in their current position may not be promoted.

## Section 600.642 Employee Transfer

- a) Definition: A transfer is the assignment of an employee to a position whose classification has the same maximum permissible salary as the former classification.
- b) Intra-Agency Transfer: An employee may be transferred to a position involving similar qualifications, duties, responsibilities, and salary range in another division, section, or other unit within the Office. Transfers may be made by the Auditor General, as he deems necessary or desirable, in his sole discretion.
- c) Geographical Transfer: Geographical transfer is the transfer of an employee, for the convenience of the employer, between the Chicago and Springfield offices for the performance of duties other than temporary assignments or details. An employee who refuses to accept a geographical transfer must report for duty at the new location but may make written appeal of such transfer to the Grievance Review Committee in accordance with the procedures established in Section

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600.670 of this Part. An employee shall be reimbursed for all reasonable transportation and moving expenses incurred in moving to a new location because of permanent geographical transfer unless such transfer was requested by the employee.

- d) Rights of Transferred Employees: A transferred employee shall retain status, continuous service, and all accrued benefits.
- e) Transfer of Duties: When the duties of a position are relocated by transfer or by abolition and reestablishment and when said duties are substantially the same, an incumbent employee may elect to relocate and retain the duties of the position.

## Section 600.646 Demotion

## a) Definition:

- 1) Demotion is the assignment of an employee to a position in a classification having a lower maximum permissible salary than the former classification, made for reasons of inability to perform the work of the position from which the demotion was made.

- 2) A Director may initiate demotion of an employee by submitting a written statement of reasons for demotion with the Personnel Coordinator. Such written statement shall be signed by the Director and shall contain facts supporting the demotion based upon the performance records of the employee. No demotion shall become effective without the prior approval of the Auditor General.

- b) Notice to Employee: If the statement of reasons for demotion of a certified employee is approved by the Auditor General, a copy of the approved statement of reasons for demotion shall be served on the employee in person or by certified mail, return receipt requested, at the employee's last address appearing in the personnel file.

- c) Employee Obligations: Upon receipt of the notice of demotion or upon the effective date of demotion, whichever is later, the employee shall leave the position in which assigned prior to receipt of the notice of demotion and report for work to the position to which demoted. An employee's report for work to the position to which demoted shall be without waiving any right to appeal under subsection (e), below.

- d) Salary and Other Benefits of Employee: Upon receipt by the employee of the notice of demotion, or on the effective date thereof, whichever is later, all salaries and benefits of the employee shall be adjusted to reflect the demotion.

- e) Appeal by Certified Employee: An employee who is certified in the position from which he or she is demoted may appeal the demotion to the Grievance Review Committee in accordance with the procedures established in Section

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- f) Demotion of Other Employees: The Auditor General may approve the demotion of probationary employees. Notice of demotion shall be served on the employee in person or by certified mail, return receipt requested, at the employee's last address appearing in the personnel file. The demotion of probationary employees is not appealable.

- g) Status of Demoted Employees: A demoted employee shall serve a probationary period in the position to which demoted unless the employee previously held certified status in that classification, in which case the demotion shall be to certified status in the demoted classification.

## Section 600.650 Layoff

## a) Layoff Procedure

- 1) A Director may request the layoff of an employee because of lack of funds, material change in duties or organization, reduced workload or lack of work, or the abolition of the employee's position. Based on classification, division or other designation, layoffs shall be within organizational units justified by operations.

- 2) A proposed layoff plan is subject to the Auditor General's approval before becoming effective and shall include the following:

- A) A list of all employees in the organizational unit in classifications affected by the layoff plan, accompanied by their performance records;
- B) A list of those employees to be laid off; and
- C) An explanation of the organizational unit selected, reflecting division, geographical, operational, and other elements deemed relevant by the Director.

## b) Order of Layoff

- 1) No certified employee may be laid off until all newly-hired probationary employees in the same position classification and organizational unit are terminated.

- 2) In accordance with the layoff plan submitted under subsection (a), above, consideration shall be given to performance records.

- c) Effective Date of Layoff: Unless extraordinary operating conditions or events are specified in the proposed layoff plan, no layoff shall be effective until ten (10) working days after the Auditor General's approval of the layoff plan.

- d) Layoff Rights: For a period of six (6) months following the effective date of his or her layoff, a laid off employee shall be notified of any vacancy in the same position classification held by the employee at the time of layoff and be given an



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opportunity to apply for that vacancy.

## Section 600.654 Voluntary Reduction

- a) Voluntary Reduction of Certified and Probationary Employees: Certified and probationary employees may voluntarily request or accept assignment to a vacant position in a classification having a lower maximum permissible salary. All requests for or acceptances of such voluntary reductions shall be in writing and signed by the employee and be directed to the Director of the organizational unit in which the vacancy exists. No reduction shall become effective without the written approval of the Auditor General. A certified employee who is assigned and accepts a voluntary reduction shall be certified in the lower classification without serving a probationary period.
- b) Certified employees who are subject to layoff shall be advised of the opportunity to request a voluntary reduction. Requests for voluntary reduction must be received prior to the proposed effective date of layoff.

## Section 600.658 Resignation and Reinstatement

- a) Resignation: An employee who voluntarily leaves his or her position of employment with the Office shall, except in emergency circumstances approved by the Auditor General, give advance notice of intent not less than ten (10) working days before the effective date of the resignation. Resignation in good standing means that the employee gave the required notice, or that emergency circumstances justified failure to do so, and that the employee's conduct and work performance were satisfactory at the effective date thereof.
- b) Reinstatement: On request of a Director, the Auditor General may, in his discretion, reinstate an employee who was formerly certified and who resigned or was terminated in good standing or whose position was reallocated downward or who was laterally transferred. Such reinstatement may be to a position in the classification to which the employee was assigned prior to resignation, termination, downward allocation, lateral transfer, or layoff or to an equivalent or lower position in a related classification. A reinstated employee shall serve a six month probationary period in the position to which reinstated.

## Section 600.662 Employee Conduct

- a) Standards of Conduct: Employees of the Office shall obey the rules of conduct of this Office and shall be aware that the absence of a specific published rule of conduct covering an act tending to discredit an employee, this Office or the State

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of Illinois does not mean the act is condoned or permissible or would not call for, and result in, disciplinary action.

- b) Conflicts of Interest
  - 1) General Provisions
 

No employee shall violate any law concerning conflicts of interest nor shall any employee engage in any conduct in which the employee's private interests or involvements are, or may reasonably be construed to be, in conflict with or detrimental to the objective performance of his or her official duties and responsibilities.
  - 2) Disclosure Statement to the Auditor General
 

A) The purpose of the Disclosure Statement required by this Subsection is to aid the Auditor General in maintaining the objectivity and impartiality of the conduct of the activities of the Office and, where a potential conflict is unavoidable, to provide for the full disclosure of the facts and circumstances involved.

B) Disclosure Statements shall be confidential. The Auditor General shall designate a custodian who shall be responsible for the safekeeping of Disclosure Statements. The Auditor General, a Deputy Auditor General, the custodian, and others designated by the Auditor General on an as-needed basis may review Disclosure Statements.

C) Each employee shall file with the custodian a Disclosure Statement which indicates involvements or relationships which could affect the employee's performance of his or her official duties.

D) Employees shall file their Disclosure Statements with the custodian immediately upon employment and shall refile their Statements by May 1st annually thereafter. Employees shall be under a continuing duty to advise the custodian promptly in writing of any change which would affect an answer given on their current Disclosure Statements or which might affect the objective or efficient performance of their duties.
- c) Political Activities
  - 1) Participation in Public Campaigns
 

An employee may participate in public campaigns while in the employment of the Office provided that the employee's official position is not used, shown, or advertised in connection with the campaign and that the employee does not violate any prohibitions of this Subsection.
  - 2) Prohibited Activity
 

Employees shall not, at any time, engage in the following actions:

    - A) Use, threaten to use or offer to use the influence or authority of



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his or her position to coerce or to persuade any person to follow any course of political action or to make any contribution to a political cause.

- B) Use State time, money, or property for the purposes of political activity.
- C) Hold an elective or appointive office in any political party or other organization whose primary function is to promote and encourage the election of certain individuals to public office.
- D) Participate in or contribute to any public campaign which involves a candidate who is running for or currently employed by, or on leave from, an office or agency over which the Auditor General has audit authority.
- E) Hold any elective office that would require attention to duties during the Office's working hours.

## d) Official Conduct

- 1) Criticism of Agencies  
No employee shall make use of any information gained in the course of his or her employment with the Office to publicly criticize any State, local, or private agency.
- 2) Handling Antagonism or Refusals  
When an employee is faced with a situation in which the agency's representative appears antagonistic or refuses to release information or documentation, the employee shall report the fact to his or her supervisor. Employees shall at no time threaten or coerce any person.
- 3) Self-disqualification From Certain Assignments  
When an employee receives an assignment involving a person acting as a representative for any public or private agency with whom he or she has had business or other relationships of a nature that might impair, or give the appearance of impairing, the employee's impartiality or independence, the employee will discuss with his or her supervisor the possible need to have the matter reassigned.

## 4) Agencies Under Audit

If an audit team member is approached about possible employment with an agency under audit, he or she will notify his or her supervisor promptly. An employee may not initiate or pursue employment activities with an agency that the employee is currently participating in an audit of.

## 5) Use of Identification

Credentials issued to employees are for use only in establishing identity or authority in connection with official duties. Employees shall not allow the use of their credentials by any other person.

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- e) Use of State Time, Position and Property
  - 1) Personal Use Prohibited  
Employees are forbidden to use State time, position or property for personal purposes.
  - 2) Protection of Property  
Employees have a responsibility to protect and conserve all State property.
  - 3) Liability for Damage or Loss  
Employees may be held financially liable for damage or loss of State property resulting from their negligent, wilful or wanton acts or omissions. Costs for damage to or loss of State property may be deducted from the responsible employee's pay.
  - 4) Reporting Damage or Loss  
Employees shall promptly report any loss, theft, or damage to State property or documents in their custody to their supervisor.
  - 5) Return of Equipment  
Upon leaving their position with the Office, employees shall return all property and credentials assigned to them. At its option, the Office may withhold an employee's final paycheck pending return of State property and credentials assigned to or in the possession of that employee or deduct the value of any such property from the departing employee's final paycheck.

## f) Disclosure of Official or Confidential Information

- 1) Testifying and Responding to Subpoenas  
When requested or subpoenaed to testify or produce documentation pertaining to confidential information before an executive or legislative commission or a court of law, employees shall notify the Auditor General prior to giving such testimony or producing such documentation.
- 2) Engagements to Speak or Write
  - A) No employee may accept invitations for public addresses or submit articles for publication which concern the official activities of the Office without obtaining the prior approval of the Auditor General.
  - B) An employee may not accept compensation, or permit his or her expenses to be paid by sources other than the State of Illinois, for speaking engagements or writings performed as official duties, except with the prior approval of the Auditor General.

## Section 600.666 Discipline and Discharge

- a) Termination at the Discretion of the Auditor General: Probationary employees who have not obtained certified status in the Office and Executive Employees may

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be terminated at any time, without notice, cause or any right to a hearing, at the discretion of the Auditor General. Probationary employees who have not obtained certified status in the Office and Executive Employees do not have any right to progressive corrective discipline procedures, as set forth in this Section. Progressive Corrective Discipline

- b) 1) Unless grounds clearly are present warranting immediate discharge or suspension pending decision on discharge, employees shall be subject to corrective discipline progressively applied utilizing counseling, warnings, and/or suspensions, as the facts and circumstances dictate, prior to discharge. If an employee's work or work-related conduct remains unacceptable after the application of progressive corrective discipline, the employee may be discharged in accordance with the appropriate rules below. This subsection does not apply to employees subject to subsection (a), above.
- 2) Grounds warranting immediate discharge or suspension pending decision on discharge shall include, but are not limited to, any violation of the Illinois State Auditing Act or any other law or rule governing the employee's conduct or duties as an employee of State government, this Subpart, any other rule or regulation of the Office or policies promulgated pursuant thereto, or misrepresentation of education, experience or professional qualifications.

- c) Discipline -- Written Warnings: A Director or designee may warn an employee either orally or in writing as a disciplinary measure. A copy of any written warning shall be signed by the appropriate Director and placed in the employee's personnel file. Written warnings may be used in considering further discipline, demotion, withholding of salary increases, and other personnel transactions when such actions occur within eighteen (18) months of the date of issuance of the written warning. A copy of the warning shall be delivered in person or sent by certified mail, return receipt requested, to the last address of the employee appearing in the personnel file. An employee shall have the right to respond to the warning in writing within ten (10) calendar days of its receipt and any such response shall be included in the employee's personnel file.

- d) Suspension: A Director may suspend an employee without pay for up to thirty (30) days in any twelve (12) month period. A longer suspension may be approved by the Auditor General. The Director shall provide the employee with written reasons for the suspension in person or by certified mail, return receipt requested, at the employee's last address appearing in the personnel file. The written charges shall be signed by the Director and contain a clear and concise statement of facts showing cause for the suspension. One copy of the notice of suspension shall be placed in the employee's personnel file and one copy shall be

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delivered to the payroll clerk. Unless delay will result in clear harm or damage to a division, the employee shall be informed in writing of the suspension and the reasons therefor at least four (4) working days prior to the effective date of the suspension. The employee shall have two (2) working days after being informed of the suspension within which to address to the Director written rebuttal to the reasons given for the suspension.

- e) Discharge of Certified Employee:

- 1) A Director may initiate discharge of a certified employee by filing written charges for discharge with Legal Counsel. Written charges shall be signed by the Director and contain a clear and concise statement of facts showing cause for discharge and shall be accompanied by a copy of the employee's performance records. No discharge of a certified employee shall be effective without the approval of Legal Counsel and the Auditor General.

- 2) Notice to Employee: Notice of approved charges for discharge shall be served on the employee in person or by certified mail, return receipt requested, at the employee's last address appearing in the personnel file.

- f) Discharge of Probationary Employee: The Auditor General may approve the discharge or suspension of a probationary employee who has not obtained certified status in the Office and Executive Employees. Written notice of discharge or suspension shall be delivered to the employee in person or by certified mail, return receipt requested, at the employee's last address appearing in the personnel file.

- g) Employee Obligations: Upon receipt by the employee of notice of suspension or charges for discharge, or on the effective date thereof, whichever is later, the employee shall leave the place of employment.

- h) Hearing--Certified Employees: Certified employees who have been served with notice of suspension or charges for discharge may appeal to the Grievance Review Committee in accordance with the procedures established in Section 600.670 of this Part. No later than five (5) working days prior to the hearing, the employee shall submit a written statement setting forth his or her position to the Auditor General, unless the time is extended in writing by the Auditor General.

- i) Reinstatement From Suspension or Discharge: An employee reinstated for the period for which he or she was suspended or discharged shall receive full compensation for such period. Full compensation shall mean compensation the suspended or discharged employee would have earned in the position during the period of suspension or discharge less amounts earned by the employee from any other source and any unemployment compensation payments received during such period.



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## Section 600.670 Grievance Procedure

- a) Grievance: Any certified employee, unless otherwise excepted by this Subpart, may grieve as to the application of this Subpart or any policy arising hereunder as to the impact of such application upon his or her employment condition or his or her status.
- b) Grievance Procedure -- Limitation: The rules of the Office and the official policy arising thereunder are not grievable matters. The following are not subject to the grievance process: the discipline, demotion or discharge of Executive Employees and probationary employees who have not obtained certified status in the Office; the demotion of a certified employee from a position in which he or she is serving a probationary period; layoff; the appointment, removal or reinstatement to State Auditor status; and intra-agency transfers.
- c) Grievance Procedure -- Abandonment -- Extension:
  - 1) Failure of either party to comply with the form or time requirements of the grievance procedure shall resolve the matter in favor of the other. The parties may mutually extend the time limits in writing at any level of the procedure. However, whenever the last day of a specified time requirement falls on a day on which the Office is closed for regular business, that time requirement shall automatically be extended to the next day on which the Office is open for regular business.
  - 2) An employee's failure to submit a grievance, or to submit or appeal it to the next level of this procedure within specified time limits, means that the employee has withdrawn the grievance or accepted the last answer given in the grievance procedure.
- d) Grievance Procedure -- Steps of:
  - 1) Step 1: A grievant shall present the grievance orally to the immediate supervisor explaining its nature and circumstances within ten (10) calendar days after learning of the circumstances or conditions which gave rise to it. The immediate supervisor shall answer to the employee in person within five (5) working days. If the grievant's immediate supervisor is a Director, the provisions of this Step 1 shall be inapplicable and the grievant shall proceed to Step 2.
  - 2) Step 2: If the grievance is not satisfactorily resolved or no answer is given within the time limit set forth in Step 1, or if the provisions of Step 1 are inapplicable, the grievant may, within ten (10) calendar days after the Step 1 answer was due, or, if Step 1 is inapplicable, within ten (10) calendar days after learning of the circumstances or conditions giving rise to the grievance, appeal the grievance to the appropriate Director in writing. Within five (5) working days after a Step 2 appeal is filed, the

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- Director shall issue a written decision and serve a copy of the decision in person upon the grievant.
- 3) Step 3: If the grievance is not satisfactorily resolved or no answer is given within the time limit set forth in Step 2, the grievant may submit, within ten (10) calendar days from the date the Director's decision was due, to the Chair of the Grievance Review Committee a copy of the written statement of grievance submitted in Step 2, along with a request for a grievance hearing.
  - e) Grievance Review Committee:
    - 1) The Auditor General shall designate a Deputy Auditor General to chair the Grievance Review Committee. The Chair, no later than five (5) working days following receipt of an employee's request for a grievance hearing, shall appoint a Grievance Review Committee. The Committee shall consist of no less than three nor more than five members, including the Chair and, as available, two (2) employees from the same or similar classification as the grievant and two (2) employees from a classification above the grievant. The Director and the immediate supervisor of the grievant shall not be appointed to the Committee.
    - 2) Immediately upon appointment of the Committee, the Chair shall set a date for hearing which shall be no later than ten (10) working days after receipt of the employee's request for a grievance hearing. The grievant shall promptly be notified in person or by certified mail, return receipt requested, of the time, date and place of the hearing.
    - 3) The grievant and others who have knowledge of the facts shall have an opportunity to present evidence in person or by written statement, after which the Committee will meet privately to reach a determination. The Chair may require that testimony be given under oath or by sworn affidavit.
    - 4) The Committee shall make their determination in writing within three (3) working days following the hearing. The Committee's determination shall be delivered to the grievant in person or by certified mail, return receipt requested. The Committee's determination is final.
    - 5) The written statement of the employee's grievance and the Committee's determination shall be made a part of the grievant's personnel file.
    - 6) The Auditor General for good cause may extend any deadline set forth above.
    - f) Representation: The grievant is entitled to be present and may be accompanied by a representative of his or her choice at the hearing. Only such other persons as the Chair deems advisable shall be entitled to attend the hearing.

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## Section 600.674 Sick Leave

- a) **Accrual:** Full-time employees shall earn sick leave at the rate of one (1) day for each month's service. Employees who work less than nineteen (19) hours per week do not earn sick leave. Employees who work less than a full work week but nineteen (19) or more hours per week shall earn sick leave adjusted by the fraction their working hours bear to the full work week. No employee shall accrue sick leave while remaining on the payroll to collect accrued vacation prior to the effective date of his or her termination.
- b) **Use:** Sick leave may be used in one-half (1/2) hour increments for illness, disability, or injury of the employee, appointments with doctors, dentists, or other professional medical practitioners, or serious illness, disability, injury or death of an immediate family member of the employee. Documentation to substantiate that leave days were used for the purposes stated may be required. Sick days are deemed to be used by an employee in the same order in which they are granted; that is, the earliest accrued sick day is liquidated first. Upon leaving employment with the Office, an employee is entitled to be paid for one-half (1/2) of all unused sick leave earned after January 1, 1984.
- c) **Accumulation:** Employees shall be allowed to carry over any unused sick leave allowed under subsection (a), above, from year to year of continuous service.
- d) **Conversion:** An employee may exercise the option of converting two (2) sick days into one (1) vacation day. However, the exercise of such option shall not result in the reduction of the employee's accumulated sick leave to an amount less than ten (10) sick days unless the conversion is in conjunction with the employee's termination.

## Section 600.678 Vacation Leave

- a) **Accrual:**
  - 1) Full-time employees shall earn vacation leave, accrued monthly on a pro-rated basis, in accordance with the following schedule:
    - A) From the date of hire until the completion of five (5) years of continuous service: ten (10) days annually.
    - B) From the completion of five (5) years of continuous service until the completion of nine (9) years of continuous service: fifteen (15) days annually.
    - C) From the completion of nine (9) years of continuous service until the completion of fourteen (14) years of continuous service: seventeen (17) days annually.
    - D) From the completion of fourteen (14) years of continuous service

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- until the completion of nineteen (19) years of continuous service: twenty (20) days annually.
- E) From the completion of nineteen (19) years of continuous service until the completion of twenty-five (25) years of continuous service: twenty-two (22) days annually.
  - F) From the completion of twenty-five (25) years of continuous service: Twenty-five (25) days annually.
- 2) No employee shall accrue vacation leave while remaining on the payroll to collect accrued vacation prior to the effective date of his or her termination.
  - 3) Employees who work less than nineteen (19) hours per week do not earn vacation leave. Employees assigned to work less than a full work week but nineteen (19) or more hours per week shall earn vacation leave adjusted by the fraction their working hours bear to the full work week.
  - b) **Use:** Vacation leave may be used in one-half (1/2) day increments. Employees may use vacation leave only upon the approval of a Director or his or her designee or, if the employee is a Director, upon the approval of the Auditor General. No employee may approve his or her own request for vacation leave.
  - c) **Continuous Service:** Computation of vacation leave of State employees who have interrupted continuous State service shall be determined as though all previous State service which qualified for earning of vacation benefits is continuous with present service.
  - d) **Accumulation:** An employee who is employed by the Office on or prior to the effective date of this Part shall be allowed to carry over accumulated vacation leave from year to year provided that such accumulation does not exceed seventy-five (75) days carry over in any calendar year. Calculation of time will be made on December 31 of each year and, if the employee's total vacation leave exceeds seventy-five (75) days at that time, only seventy-five (75) days will be carried into the next year. An employee who is employed by the Office after the effective date of this Part shall not be allowed to accumulate vacation time for more than twenty-four (24) months after the end of the calendar year in which it is earned.
  - e) **Payout:** Upon leaving employment with the Office, an employee, at his or her option:
    - 1) may be paid in a lump sum for accrued and unused vacation days up to a maximum of 75 days; or
    - 2) may remain on the payroll for the period of time equal to accrued and unused vacation days up to a maximum of 75 days. However, if during this period, the employee is placed on another State payroll, he or she shall be removed from the Office's payroll. In that event, the employee



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may receive a lump sum payment for, or transfer to his or her account with the new employer, the remaining balance of his or her maximum accrued vacation days less any vacation days used under this paragraph.

## Section 600.682 Leave for Personal Business

- a) Accrual: Full-time employees shall be permitted twenty-one (21) hours of leave for personal business each calendar year subsequent to 1994 with pay. In calendar year 1994, full-time employees shall be given credit for personal business leave at the rate of three and one-half (3 1/2) hours for each two (2) months remaining in the calendar year subsequent to the effective date of this Part. Full-time employees who enter service with the Office during any calendar year shall be given credit for such leave at the rate of three and one-half (3 1/2) hours for each two (2) months of service for the calendar year in which hired. Permanent part-time employees working nineteen (19) or more hours per week shall earn personal business leave at a rate adjusted by the fraction their working hours bear to the full work week.
- b) Personal business leave may be used for occurrences or observance of religious holidays, absence due to severe weather conditions, or for other similar personal reasons but shall not be used to extend a holiday, vacation or other leave without prior written approval. Personal business leave may be used by employees in half-hour increments. Except for those emergency situations which preclude the making of prior arrangements, personal business leave shall be scheduled sufficiently in advance to be consistent with the Office's operating needs.
- c) Carry Over: Personal business leave shall not accumulate or carry over from year to year.

## Section 600.686 Leaves of Absence

- a) Types:
  - 1) Illness: An employee who has expended his or her accumulated sick leave may be granted a leave without pay, provided that he or she may be required to submit a statement from an appropriate health care provider setting forth the reasons for the employee's inability to work. The leave may continue for an appropriate period approved by the Auditor General, provided that an appropriate health care provider's statement, if required, is submitted within the first ten (10) days of each month during the leave. The State will continue to pay the premiums for the basic (State-paid) health and life insurances for an employee on illness leave.
  - 2) On the Job Injury and Service Connected Disease: An employee who

## AUDITOR GENERAL

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suffers an on-the-job injury or contracts a service-connected disease shall be allowed full pay during the first five (5) working days of absence without utilization of any accumulated sick leave or other benefits. Thereafter, the employee shall be permitted to utilize accumulated sick leave or other benefits. In the event the service-connected illness or on-the-job injury becomes the subject of payment of benefits provided in the Workers' Compensation Act by the Illinois Industrial Commission, the courts, the State self-insurance program or other appropriate authority, the employee shall restore to the State the dollar equivalent which duplicates payments received as sick leave or other accumulated benefit time, and the employee's benefit accounts shall be credited with leave time equivalents. Family and Medical Leave

- 3)
  - A) Eligibility: Employees who have been employed by the Office for at least twelve (12) months are entitled to up to twelve (12) workweeks leave in any twelve (12) month period for one or more of the following:
    - i) because of the birth of a son or daughter of the employee and in order to care for such son or daughter;
    - ii) because of the placement of a son or daughter with the employee for adoption or foster care;
    - iii) to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter or parent has a serious health condition;
    - iv) because of a serious health condition that makes the employee unable to perform the function of the position of such employee.
  - B) Use: The entitlement to leave under subsection (a) (3) (A) (i) and (ii), above, expires at the end of the twelve (12) month period beginning on the date of the birth or placement of the son or daughter. The leave granted under subsection (a) (3) (A) (iii) and (iv), above, may be taken intermittently when medically necessary.
  - C) Benefits: Family and Medical Leave shall be unpaid. Accrued sick and vacation leave may be applied to the above periods of absence at the employee's option. The State will continue to pay the premiums for the basic (State-paid) health and life insurances for an employee on family and medical leave.
  - D) Restoration: Employees who take leave under this subsection (a) (3) shall be returned to the same or equivalent position with equivalent benefits, pay and other terms and conditions of employment as held by the employee when the leave commenced.

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## NOTICE OF ADOPTED RULES

- E) Optional Extension: Family and Medical Leave may be extended up to a total of six months at the discretion of the Auditor General.
- F) Notice and Certification: An employee shall provide the Office with not less than 30 days' notice of the employee's intent to take Family and Medical Leave, or such other notice as is practical under the circumstances. Documentation supporting the reasons for taking a leave may be required. Authorization from an appropriate health care provider to return to work may be required.
- 4) Administrative Leave: The Auditor General may grant administrative leaves of absence to employees for purposes deemed appropriate. The Auditor General shall determine the duration of the leave and whether the leave shall be with or without pay, full or partial, and with or without State-paid benefits.
- 5) Excused Absence: An employee may be granted an excused absence with pay upon the approval of the Auditor General or the Director to whom the employee reports.
- 6) Military, Job Corps and Peace Corps Leaves: Leaves of absence shall be allowed employees who enter military service, the Peace Corps or the Job Corps as provided below and as may be required by law.
- A) Military Service Leave: Leave of absence without pay shall be granted to all employees who leave their positions and enter military service for four (4) years or less (exclusive of any additional service imposed pursuant to law). An employee shall be restored to the same or a similar position on making application to the Auditor General within ninety (90) days after separation from active duty or from hospitalization continuing after discharge for not more than one (1) year. The employee must provide evidence of satisfactory completion of training and military service when making application for reinstatement and be qualified to perform the duties of the position.
- B) Military Reserve Training Leave: Any full-time employee who is a member of a reserve component of the United States Armed Forces, the Illinois National Guard or the Illinois Naval Militia shall be allowed leave with pay for one (1) full pay period each calendar year, and such additions or extensions thereof without pay as may be necessary for the employee to fulfill the military reserve obligation; provided, however, that during period of active service to meet emergencies as proclaimed by the Governor, the employee shall be granted a leave of absence with pay. Military earnings

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must be remitted to the Office and the Office will return it to the payroll fund from which the employee's payroll check was drawn. If the military earnings exceed the employee's earnings for the period of the leave, the employee shall retain the military pay and return to the Office the amount the Office paid the employee for that period. An employee shall provide certification by the commanding officer of the employee's unit that all leave time was used for such purpose. During such leave of absence, the employee's seniority and other benefits shall continue to accrue.

C) Leave for Military Physical Examinations: Any employee drafted into military service shall be allowed up to three (3) days leave with pay to take a physical examination required by such draft. Upon request, the employee must provide the Office with certification by a responsible authority that the period of leave was actually used for such purpose.

D) Peace Corps or Job Corps Leave: Any employee who volunteers and is accepted for service in the Peace Corps or Job Corps shall be given a leave of absence from his or her State employment for the duration of his or her initial period of service. The employee shall be restored to the same or similar position provided that the employee returns to his or her employment within ninety (90) days of the termination of his or her service or release from hospitalization for a Peace Corps or Job Corps service-connected disability.

7) Disaster Service Volunteer Leave: Any employee who is a certified disaster service volunteer of the American Red Cross may be granted leave from work with pay for not more than twenty (20) working days in any twelve (12) month period to participate in specialized disaster relief services for the American Red Cross related to a disaster occurring within the State of Illinois. Leave shall be granted upon the request of the American Red Cross and with the approval of the Auditor General. The employee shall be granted disaster service volunteer leave without loss of seniority, pay, vacation time or any other employee benefit.

8) Attendance in Court: Any employee called for jury duty or subpoenaed by any legislative, judicial, or administrative tribunal shall be allowed time away from work with pay for such purposes. Upon receiving the sum paid for jury service or witness fee, the employee shall submit the warrant, or its equivalent, to the Office to be returned to the fund in the State Treasury from which the original payroll warrant was drawn; provided, however, an employee may elect to fulfill such call or subpoena

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- on accrued time off and retain the full amount received for such service.
- b) **Employee Rights After Leave:** When an employee returns from a leave of absence of six (6) months or less, the Office shall return the employee to the same or similar position in which the employee was incumbent prior to the commencement of such leave provided that all requirements for substantiation of use of leave or physical fitness have been furnished and that application for reassignment is made within the specified time limit of the leave. When an employee returns from a leave of absence exceeding six (6) months in duration, other than a leave of absence granted under subsection (a) (6), above, and there is no vacant position in the same position classification in which the employee was incumbent prior to the commencement of such leave, the employee may be laid off. An employee returning from a leave of absence under subsection (a) (6), above, shall be returned to the same or similar position in which the employee was incumbent prior to the commencement of such leave provided that all requirements for substantiation of use of leave or physical fitness have been furnished, that application for reassignment is made within the specified time limits of the leave, and that the Office's circumstances have not changed so as to make reassignment impossible or unreasonable.
- c) **Failure to Return:** An employee who fails to return from leave within five (5) working days after the expiration date shall be deemed to have resigned. Leave shall automatically terminate upon the employee's securing other employment during the leave period.
- d) **Accrual and Retention of Continuous Service During Certain Leaves:** During the following leaves, an employee shall retain and accrue continuous service, provided appropriate application and return is made as required by this Section: family and medical leave; administrative leave; military leaves; Peace Corps or Job Corps leave; disaster service volunteer leave; or service-connected disability leave.

## Section 600.690 Holidays

- a) **Authorized Holidays:** All employees shall have time off, with full salary payment, for any days established by State or federal law for the observance of holidays and any other holidays or non-working days declared by the Auditor General.
- b) **Holiday Observance:** Where employees are scheduled and required to work on a holiday, equivalent time off will be granted within the following twelve month period at a time convenient to the employee and consistent with the Office's operating needs.
- c) **Holiday During Vacation:** When a holiday falls on an employee's regularly

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scheduled work day during the employee's vacation period, an extra day shall be added to the employee's accumulated vacation days.

## Section 600.694 Overtime

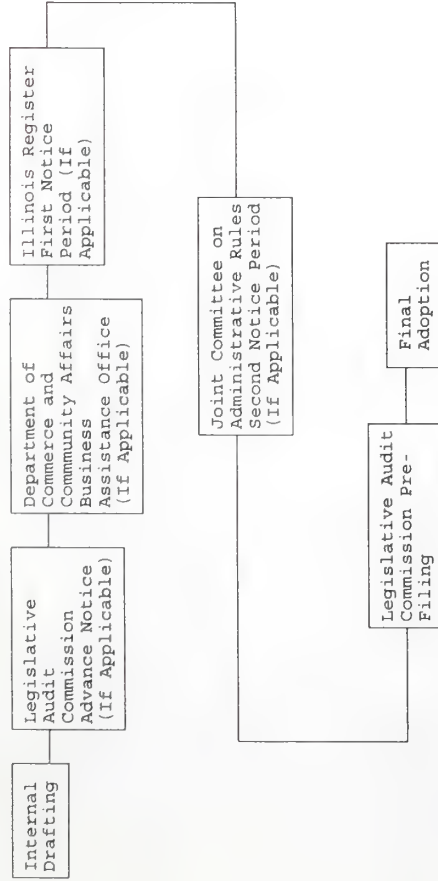
- a) **Overtime:** For those positions approved by the Auditor General and designated on lists maintained by the Auditor General, authorized work in excess of the scheduled work week as established by the Auditor General shall be overtime. Overtime may be compensated in cash or compensatory time.
- b) **Compensatory Time:** An employee's overtime accumulation shall be liquidated by the utilization of compensatory time off, when such utilization is practical. Such compensation shall be made at a straight-time rate for work in excess of the scheduled work week but less than a forty (40) hour work week. Work in excess of a forty (40) hour week shall be compensated at time and one-half.
- c) **Compensatory Time Schedule:** Compensatory time shall be scheduled at the employee's preference except in those circumstances where such absence would be harmful to the operation of his or her work unit.
- d) **Overtime Compensation in Cash:** Whenever it is not practical to liquidate an employee's overtime with compensatory time off, the employee shall be reimbursed in cash. Such payment shall be made at a straight-time rate for work in excess of the scheduled work week but less than a forty (40) hour work week. Work in excess of a forty (40) hour work week shall be paid at time and one-half.
- e) **Overtime -- Accumulation:** All employee overtime compensation shall be liquidated within forty-five (45) calendar days of its accumulation.

## Section 600.698 Interpretation and Application of Rules

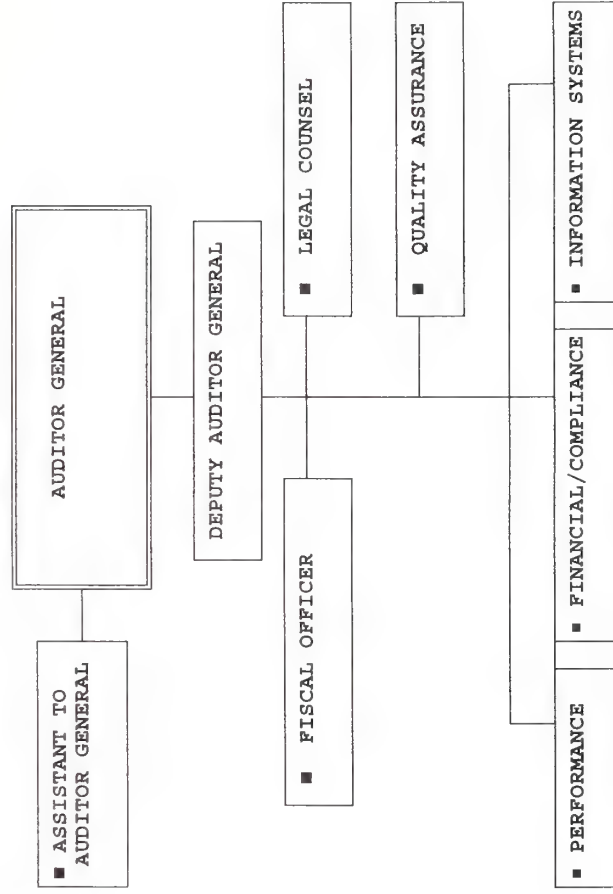
The Auditor General shall determine the proper interpretation and application of each Rule. The decision of the Auditor General as to the proper interpretation or application of any rule shall be final and binding upon all affected employees unless modified or reversed by the Grievance Review Committee, the courts or an administrative tribunal.



Section 600. APPENDIX A Internal Office Rulemaking Procedures-Flow Chart



Section 600. APPENDIX B Organization Chart



## AUDITOR GENERAL

## NOTICE OF ADOPTED REPEALER

1) Heading of the Part: Public Information, Rulemaking, Organization and Personnel

2) Code Citation: 2 Ill. Adm. Code 600

3) Section Numbers: Adopted Action:

600.10 Repeal  
600.110 Repeal  
600.120 Repeal  
600.210 Repeal  
600.220 Repeal  
600.610 Repeal  
600.620 Repeal  
600.630 Repeal  
600.640 Repeal  
600.650 Repeal  
600.660 Repeal  
600.670 Repeal  
600.680 Repeal  
600.690 Repeal  
600. Appendix A Repeal  
600. Appendix B Repeal

4) Statutory Authority: Implementing Section 5-15 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-15) [5 ILCS 100/5-15] and Section 2-10 of the Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, par. 302-10) [30 ILCS 5/2-10] and authorized by Section 2-12(a) of the Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, par. 302-12(a)) [30 ILCS 5/2-12(a)].

5) Effective Date of Rules: May 1, 1994

6) Does this rulemaking contain an automatic repeal date? No.

7) Does this rule contain any incorporations by reference? No.

8) Date filed in agency's principal office: March 22, 1994

9) Notice of proposal published in Illinois Register: Prior publication in the Illinois Register is not required.

10) Has JCAR issued a statement of objections to these rules? Prior review by JCAR is not

## AUDITOR GENERAL

## NOTICE OF ADOPTED REPEALER

required.

11) Difference(s) between proposal and final version: None. See response to question 9.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Prior review by JCAR is not required.

13) Will this rule replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this part? No.

15) Summary and purpose of rules: These are required and internal rules of the Office of the Auditor General. The required rules, repealed pursuant to Section 5-15 of the Illinois Administrative Procedure Act, are contained in Subpart A (Public Information), Subpart B (Rulemaking Procedures), and Subpart C (Organization). Subpart D contains the Office's internal rules governing personnel. The last prior amendments to this Part were in 1987. Due to the number of changes that were required to update the rules, the agency deemed it advisable to repeal the entire part (this rulemaking) and adopt a new part at 2 Ill. Adm. Code 600 (a concurrent rulemaking).

16) Information and questions regarding these adopted rules shall be directed to:

Rebecca Patton  
Legal Counsel  
Office of the Auditor General  
509 South Sixth St.  
Springfield, IL 62701  
(217) 782-6698

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

- 1) Heading of Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3) Section Numbers: Peremptory Action:  
125.260 Amended  
125.270 Amended
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 316) [225 ILCS 650/16]; the Federal Meat Inspection Act (21 U.S.C.A. 661); 59 FR 12536 (1994).
- 5) Statutory Authority: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 316) [225 ILCS 650/16].
- 6) Effective Date: April 18, 1994

7) A Complete Description of the Subjects and Issues Involved:

In order to maintain an "equal to" status with the federal meat inspection program as required by the Federal Meat Inspection Act and in compliance with Section 16 of The Meat and Poultry Inspection Act, changes in the federal rules relative to meat inspection are hereby adopted.

The Food Safety and Inspection Service (FSIS) is amending Federal meat inspection regulations to: (1) permit the application of ascorbic acid, erythorbic acid, citric acid, sodium ascorbate, and sodium citrate, singly or in combination, to the surface of fresh beef cuts or fresh lamb cuts to delay discoloration of such cuts; (2) clarify the permitted use and levels of such substances on fresh pork cuts, and revise the purpose of these substances from "to maintain color" to "to delay discoloration" for clarification; and (3) remove and reserve 9 CFR 317.8(b)(37) which requires qualifying statements on fresh pork cuts. Specifically, Sections 317.8(b)(37) and 318.7(c)(4) are amended. These amendments appear at 59 FR 12536 (1994), effective April 18, 1994.

8) Does this rulemaking contain an automatic repeal date? No9) Date Filed in Agency's Principal Office: April 18, 1994

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

- 10) This rule is in compliance with Section 5.03 of the Illinois Administrative Procedure Act.
- 11) Are there any proposed amendments pending to this Part? Yes, proposed amendments to Sections 125.100, 125.260 and 125.380 (published in 18 Ill. Reg. 3809, 3/18/94) are pending.
- 12) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local governments.
- 13) Information and questions regarding this adopted amendment shall be directed to:  
Name: Debbie Wakefield  
Address: Illinois Department of Agriculture  
State Fairgrounds, Springfield,  
Illinois 62794-9281  
Telephone: 217/782-2172

The full text of the peremptory amendments begins on the next page:



## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS  
 CHAPTER I: DEPARTMENT OF AGRICULTURE  
 SUBCHAPTER C: MEAT AND POULTRY INSPECTION ACT

## PART 125

## MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR  
POULTRY INSPECTION

Section	
125.10	Definitions
125.20	Incorporation by Reference of Federal Rules
125.30	Application for License; Approval
125.40	Official Number
125.50	Inspections; Suspension or Revocation of License
125.60	Administrative Hearings; Appeals
125.70	Assignment and Authority of Program Employees
125.80	Schedule of Operations; Overtime
125.90	Official Marks of Inspection, Devices and Certificates
125.100	Records and Reports
125.110	Exemptions
125.120	Disposal of Dead Animals and Poultry
125.130	Reportable Animal and Poultry Diseases
125.140	Detention; Seizure; Condemnation

## SUBPART B: MEAT INSPECTION

Section	Livestock and Establishments	Meat and Equine Products	Products for Inspection	Entering	Official
125.150					
125.160					
125.170					
125.180					
125.190					
125.200					
125.210					
125.220					
125.230					
125.240					
125.250					
125.260					
125.270					
125.280					

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

125.290 Transportation  
 125.295 Imported Products  
 125.300 Special Services Relating to Meat and Other Products  
 125.305 Exotic Animal Inspection

## SUBPART C: POULTRY INSPECTION

Section	
125.310	Application of Inspection
125.320	Facilities for Inspection
125.330	Sanitation
125.340	Operating Procedures
125.350	Ante-Mortem Inspection
125.360	Post-Mortem Inspection; Disposition of Carcasses and Parts
125.370	Handling and Disposal of Condemned or Inedible Products at Official Establishments
125.380	Labeling and Containers
125.390	Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
125.400	Definitions and Standards of Identity or Composition
125.410	Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by the Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 301 et seq.) [225 ILCS 650/16] and The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16].

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg.

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15953, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; peremptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; peremptory amendment at 16 Ill. Reg. 11963, effective July 22, 1992; peremptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992; peremptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; peremptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; peremptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993; peremptory amendment at 17 Ill. Reg. 15725, effective September 7, 1993; peremptory amendment

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

at 17 Ill. Reg. 16238, effective September 8, 1993; peremptory amendment at 17 Ill. Reg. 18215, effective October 5, 1993; peremptory amendment at 18 Ill. Reg. 304, effective December 23, 1993; peremptory amendment at 18 Ill. Reg. 2164, effective January 24, 1994; amended at 18 Ill. Reg. 4622, effective March 14, 1994; peremptory amendment at 18 Ill. Reg. \_\_\_\_\_, effective Apr 18, 1994.

## Section 125.260 Labeling, Marking and Containers

- a) The Department incorporates by reference 9 CFR 317.1 through 317.2(j)(10), 317.2(j)(12) through 317.4(d)(1), 317.5 through 317.6, 317.8, 317.10 through 317.14, 317.17 through 317.24 (1990; 55 FR 7289, effective August 28, 1990; 55 FR 34678, effective September 24, 1990; 55 FR 49826 and 50081, effective May 29, 1991; 56 FR 1359, effective September 3, 1991; 56 FR 22638, effective January 2, 1992; 56 FR 41445, effective September 20, 1991; 56 FR 67485, effective March 2, 1992; 57 FR 24542, effective July 10, 1992; 58 FR 42188, effective September 8, 1993; 58 FR 38046, effective August 16, 1993; 59 FR 12536, effective April 18, 1994).
- b) The Department shall approve only those abbreviations for marks of inspection as specifically stated in Section 2.26(j)(3) and (k)(3), (4), (5) and (9) of the Act.
- c) Labeling and sketch labeling shall be approved by the Department if the label is in compliance with the provisions of this Section and the label is not misbranded in accordance with Section 2.20 of the Act. All labels and sketch labels shall be submitted to the Springfield office of the Department for approval.
- d) The Department shall approve temporary labeling as stated in 9 CFR 317.4(d)(1). Labeling which has received temporary approval shall not be used beyond the temporary approval period unless the printer or manufacturer of the label is unable to provide the official establishment with the labels before the expiration of the temporary approval.
- e) The quantity of contents as shown on the label shall be in compliance with the Weights and Measures Act (Ill. Rev. Stat. 1991, ch. 147, par. 101 et seq.) [225 ILCS 470] and the rules adopted thereto (8 Ill. Adm. Code 600.120).
- f) The Department does not approve terms for generic labeling



## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

and considers the approval of terms as generic to be the responsibility of the federal government.

- g) With regard to the incorporated language in 9 CFR 317.6, the extension of time for exhausting existing stocks of labels is not applicable since all labels presently in use are in compliance with the rules of this Part.

- h) The Department does not issue a list of approved packaging materials and will permit for use any packaging material which has been approved by the U.S. Department of Agriculture (see 49 FR 2235, effective July 17, 1984).

- i) Labels to be used for the relabeling of inspected and passed product shall be permitted to leave the official establishment when the product must be relabeled because the original labels have become multilayered or damaged. The official establishment shall reimburse the Department for any overtime costs, if applicable, involved for the inspector to supervise the relabeling of a product. The overtime charges shall be as set forth in Section 125.80.

- j) The inspector shall grant authorization to transport labels, wrappers and containers bearing official marks from one official establishment to another official establishment provided the official establishment provides to the inspector the information required in 9 CFR 317.13 so that the inspector can notify the inspector at the destination point.

- k) Labeling of custom slaughter and/or custom processed meat and/or meat products and the containers containing custom slaughtered and/or custom processed meat and/or meat products shall be as set forth in Section 5 of the Act.

- l) References in the incorporated language to 9 CFR 312 shall be interpreted to mean in accordance with Section 125.90.

(Source: peremptory amendment at \_\_\_ Ill. Reg. \_\_\_, effective APR 18 1994)

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR POULTRY INSPECTION

Section 125.270 Entry into Official Establishment; Reinspection and Preparation of Product

- a) The Department incorporates by reference 9 CFR 318.1(c)

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

through 318.7, 318.9 through 318.10, 318.14 through 318.20, 318.22, 318.23, 318.300 through 318.311 (1990; 54 FR 43041, effective January 18, 1990; 55 FR 7294, effective August 28, 1990; 55 FR 34678, effective September 24, 1990, as amended by 55 FR 49991, December 4, 1990; 57 FR 27870, effective July 22, 1992; 57 FR 42885, effective October 19, 1992; 58 FR 4067, effective February 12, 1993; 58 FR 41138, effective September 1, 1993; 58 FR 42188, effective September 8, 1993; 58 FR 45238 and 58 FR 45240, effective September 27, 1993; 58 FR 59934, effective December 13, 1993; 58 FR 63521, effective January 3, 1994; 59 FR 12536, effective April 18, 1994).

- b) No meat or meat product shall be brought into an official establishment unless it is inspected or has been prepared in an official establishment or in a federally licensed establishment and is identified by an official inspection legend as set forth in Section 125.90, a federal inspection legend, or is exempt from inspection as stated in Section 125.110. Meat and meat products received in an official establishment during the absence of the inspector shall be identified as set forth in Section 125.200 and, unless exempt from inspection, shall not be used or prepared until they have been reinspected. Any meat and meat product originally prepared at any official establishment may not be returned to any part of such establishment other than the receiving area until it has been reinspected by the inspector and passed. Wild game carcasses shall comply with Section 5(B)(4) of the Act. The official establishment shall maintain an inventory of non-meat items (e.g., spices, preservatives) which are received at the official establishment. Any product that is brought on the premises of an official establishment contrary to the provisions of this Section shall be removed immediately from such establishment by the operator of the establishment.

- c) Reinspections of meat and/or meat products within the official establishment shall be performed through the use of a random digit table.

- d) Docks and receiving rooms for meat and/or meat products or other articles used by the establishment in the preparation of meat products entering an official establishment shall be approved by the inspector if the location of such docks or receiving rooms will not permit such product or article to pass through rooms containing inspected and passed products.



## DEPARTMENT OF AGRICULTURE

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- e) The manner of defrosting frozen products and methods of treating to preserve products shall be in accordance with procedures as set forth in the "Meat and Poultry Inspection Manual" as adopted in Section 125.20.
- f) Casings or weasand shall be inspected and passed if it is in compliance with the specific provisions as stated in 9 CFR 318.5(i) for passage of such articles.
- g) The Department does not approve new substances to be used on meat or in meat products, their uses or the levels of use of an approved substance. Such substances will be permitted to be used and artificial flavorings may be used if they do not adulterate the meat and/or meat product in accordance with Section 2.11 of the Act and are in compliance with the provisions of this Section.
- h) References to exemptions from slaughter and custom slaughter shall mean those exemptions set forth in Section 125.110.
- i) Reference to 9 CFR 327 are not applicable to the Department in its enforcement of the rules of this Part. References to the federal Poultry Inspection Act, Section 403 of the Act, Section 7 of the Act, 9 CFR 303, and paragraph 23(a) of the Act shall be interpreted to mean in accordance with The Meat and Poultry Inspection Act and the rules of this Part.

j) The Department does not approve thermometers for use in smokehouses, dry rooms and other compartments that are used in the treatment of pork.

k) Disinfectants shall be those as set forth in Section 125.180.

l) Adequate vacuum shall be determined through the use of vacuum gauges.

m) Canned products which may be processed without steam-pressure cooking shall be those products as stated in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.

n) The inspector shall permit lots of canned product to be shipped from the official establishment prior to the completion of the incubation period on the representative samples in accordance with the specific provisions in 9

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

CFR 318.309.

- o) The standards and procedures for determining when ingredients of finished products are in compliance with this Section shall be as set forth in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.

(Source: Peremptory amendment at 18 Ill. Reg. \_\_\_\_\_, effective: APR 18 1994)

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF REGULATORY FLEXIBILITY IMPACT ANALYSIS

RULES PROMULGATED BY STATE AGENCIES THAT MAY IMPACT SMALL BUSINESS

Name Of Agency: Department of Conservation

Heading of the Part: Commercial Fishing and Musseling in Certain Waters of the State

Code Citation: 17 Ill. Adm. Code 830

Sections Involved: 830.20, 830.40, 830.60

Notice of Proposal Published in Illinois Register: April 8, 1994

Statutory Authority: Implementing and authorized by the Fish and Aquatic Life Code [515 ILCS 5/1-60, 1-65, 1-120, 10-120, 15-35, 15-40, 20-35, 25-5]

Information concerning this Regulatory Flexibility Impact Analysis shall be directed to:

Name: Linda D. Brand  
Address: Department of Commerce and Community Affairs  
620 E. Adams, Springfield, IL 62701  
Telephone: (217) 785-6354

Other pertinent information regarding these rules: After initial scrutiny, the Department of Commerce and Community Affairs has determined that the above proposed rule may impact small businesses. Publication of this notice serves to both provide the general public with information regarding specifics of the propose rule, on request, as well as elicit comments from interested parties. All comments will be considered as the analysis is formulated.

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF REGULATORY FLEXIBILITY IMPACT ANALYSIS

RULES PROMULGATED BY STATE AGENCIES THAT MAY IMPACT SMALL BUSINESS

Name Of Agency: Pollution Control Board

Heading of the Part: Petroleum Underground Storage Tanks

Code Citation: 35 Ill. Adm. Code 732

Sections Involved: 732.100 Thru 732.612  
732.Appendix A and B

Notice of Proposal Published in Illinois Register: April 8, 1994

Statutory Authority: Environment Protection Act, Title XVI, 415 ILCS 57 thru 59. (New section unavailable in statutes.

Information concerning this Regulatory Flexibility Impact Analysis shall be directed to:

Name: Linda D. Brand  
Address: Department of Commerce and Community Affairs  
620 E. Adams, Springfield, IL 62701  
Telephone: (217) 785-6354

Other pertinent information regarding these rules: Public hearings will be held on this proposal:

April 27 and April 28, 1994 10:00 a.m. (April 28th is subject to cancellation of business is complete on April 27th.) County Board Chambers 200 South Ninth Street, 2nd Fl. Springfield, IL 62701	May 23 and May 24, 1994 10:00 a.m. (May 24th is subject to cancellation of business is complete on May 23rd.) James R. Thompson Center 100 West Randolph Street Conference Room, 9-040 Chicago, IL 60601
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After initial scrutiny, the Department of Commerce and Community Affairs has determined that the above proposed rule may impact small businesses. Publication of this notice serves to both provide the general public with information regarding specifics of the propose rule, on request, as well as elicit comments from interested parties. All comments will be considered as the analysis is formulated.

## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENTS

- 1) The Heading of Part: Currency Exchange Act.
- 2) Code Citation 38 Ill. Adm. Code 130
- 3) Section Number:  
130.10 Amendment  
130.30 Amendment  
130.60 Amendment
- 4) Date Notice of Proposed Amendments Published in the Illinois Register:  
May 14, 1993 17 Ill Reg. 6929
- 5) Reason for the Withdrawal:  
The issuance of a filing prohibition by the Joint Committee on Administrative Rules.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of April 12, 1994 through April 18, 1994, and have been scheduled for review by the Committee at its May 17, 1994 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
5/26/94	<u>Department of Professional Regulation, Real Estate Appraiser Certification (68 Ill Adm Code 1455)</u>	2/25/94 18 Ill Reg 2733	5/17/94
5/26/94	<u>Department of Transportation, Floodway Construction in Northeastern Illinois (92 Ill Adm Code 708)</u>	2/4/94 18 Ill Reg 1811	5/17/94
6/1/94	<u>Department of Children and Family Services, Reports of Child Abuse and Neglect (89 Ill Adm Code 300)</u>	9/24/93 17 Ill Reg 15218	5/17/94
6/1/94	<u>Illinois Commerce Commission, Uniform System of Accounts for Electric Utilities (83 Ill Adm Code 415)</u>	1/28/94 18 Ill Reg 937	5/17/94
6/1/94	<u>Illinois Commerce Commission, Uniform System of Accounts for Gas Utilities (83 Ill Adm Code 505)</u>	1/28/94 18 Ill Reg 946	5/17/94
6/1/94	<u>Office of the State Fire Marshal, Policy and Procedures Manual for Fire Protection Personnel (41 Ill Adm Code 140)</u>	9/10/93 17 Ill Reg 14352	5/17/94
6/1/94	<u>Illinois Student Assistance Commission, General Provisions (23 Ill Adm Code 2700)</u>	1/28/94 18 Ill Reg 1037	5/17/94
6/1/94	<u>Illinois Student Assistance Commission, Grant Program for Dependents of Correctional Officers (23 Ill Adm Code 2731)</u>	1/28/94 18 Ill Reg 1054	5/17/94



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

(Page 2)

6/1/94	<u>Illinois Student Assistance Commission, Merit Recognition Scholarship (MRS) Program (23 Ill Adm Code 2761)</u>	1/28/94 18 Ill Reg 1073	5/17/94
6/1/94	<u>Illinois Student Assistance Commission, Police Officer/Fire Officer Survivor Grant Program (23 Ill Adm Code 2732)</u>	1/28/94 18 Ill Reg 1098	5/17/94
6/1/94	<u>Illinois Student Assistance Commission, Student to Student (STS) Program of Matching Grants (23 Ill Adm Code 2770)</u>	1/28/94 18 Ill Reg 1102	5/17/94
6/1/94	<u>Illinois Student Assistance Commission, State Scholar Program (23 Ill Adm Code 2760)</u>	2/4/94 18 Ill Reg 1803	5/17/94
6/1/94	<u>Illinois Student Assistance Commission, College Savings Bond Bonus Incentive Grant (BIG) Program (23 Ill Adm Code 2771)</u>	1/28/94 18 Ill Reg 1006	5/17/94
6/1/94	<u>Department of Central Management Services, Joint Rules of the Comptroller and the Department of Central Management Services: Prompt Payment (74 Ill Adm Code 900)</u>	7/16/93 17 Ill Reg 10677	5/17/94

## PROCLAMATION

94-141

## DISASTER AREA - DOUGLAS COUNTY

Torrential rains and heavy thunderstorms on April 11, 1994 delivered four to six inches of rainfall in northern Douglas County, creating flash flooding and flooding along the upper Embarras River and its tributaries. This has caused a disruption of public services to farms and agricultural levees, local roads, homes and other properties.

The town of Villa Grove in Northern Douglas County experienced flash flooding to depths of more than four feet, disabling the town's public water supply. The Illinois Emergency Management Agency is coordinating with the Illinois Environmental Protection Agency and the Illinois Department of Public Health to assist local government in the distribution of potable water.

In the interest of aiding Douglas County and its citizens; thereby mitigating the threat to public health and safety, I hereby declare Douglas County to be a State of Illinois disaster area, pursuant to provisions of section 3305/7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7 (1992).

This gubernatorial declaration of disaster will aid the Illinois Emergency Management Agency in coordinating the assistance of local units of government, other state agencies, and volunteer resources in providing reasonable and necessary emergency measures for disaster mitigation throughout the county. This declaration will also provide for the reassessment of real and personal property and make possible any requests for Federal disaster assistance.

Issued by the Governor April 13, 1994.

Filed with the Secretary of State April 13, 1994.

94-142

## DISASTER AREAS - CALHOUN, GREENE AND JERSEY COUNTIES

Torrential rains and heavy thunderstorms on April 11, 1994 delivered four to eight inches of rainfall throughout central and southern Illinois which created flash flooding and flooding along the lower Illinois River and its tributaries. This has caused a disruption of public services to farms and agricultural levees, local roads, homes and other properties.

In the interest of aiding the affected counties and their citizens thereby mitigating the threat to public health and safety, I hereby declare Calhoun, Greene and Jersey Counties to be State of Illinois disaster areas, pursuant to provisions of section 3305/7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7 (1992).

This gubernatorial declaration of disaster will aid the Illinois Emergency Management Agency in coordinating the assistance of local units of government, other state agencies, and volunteer resources in providing reasonable and necessary emergency measures for disaster mitigation throughout the county. This declaration will also provide for the reassessment of real and personal property and make possible any requests for Federal disaster assistance.

Issued by the Governor April 13, 1994.

Filed with the Secretary of State April 13, 1994.

#### 94-143

##### DISASTER AREA EXISTS WITHIN THE STATE OF ILLINOIS

Torrential rains and heavy thunderstorms on April 11, 1994 delivered four to eight inches of rainfall throughout central and southern Illinois. Additional rainfall within the next few days may cause additional flooding in other areas not currently impacted. Overland flash flooding and flooding along the rivers and streams has caused a disruption of public services and damages to homes, businesses and farms. Roads, bridges and other public facilities have sustained damage.

In the interest of responding to the threat imposed to public health and safety as a result of the heavy rains, I hereby declare that a disaster exists within the State of Illinois, pursuant to the provisions of Section 3305/7 of the Illinois Emergency Agency Act, 20 ILCS 3305/7 (1992).

This gubernatorial declaration of disaster will aid the Illinois Emergency Management Agency in coordinating the assistance of local units of government, other state agencies, and volunteer resources in providing reasonable and necessary emergency measures for disaster response in any part of the State. This declaration will also provide for the assessment of damages and the determination if supplemental Federal assistance is needed by any unit of local government.

Issued by the Governor April 14, 1994.

Filed with the Secretary of State April 14, 1994.

#### 94-144

##### DISASTER AREAS - ALEXANDER, CASS, MENARD, SANGAMON, DE WITT AND VERMILION COUNTIES

Torrential rains and heavy thunderstorms on April 11, 1994 delivered four to eight inches of rainfall throughout central and southern Illinois which created flash flooding and flooding along the lower Illinois River and its tributaries. This has caused a disruption of public services to farms and agricultural levees,

local roads, homes and other properties.

In extreme southern Illinois, a levee severely damaged in the Great Flood of 1993 has again ruptured, flooding farmland and endangering lives.

In the interest of aiding the affected counties and their citizens thereby mitigating the threat to public health and safety, I hereby declare Alexander, Cass, Menard, Sangamon, DeWitt and Vermilion Counties to be State of Illinois disaster areas, pursuant to the provisions of Section 3305/7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7 (1992).

This gubernatorial declaration of disaster will aid the Illinois Emergency Management Agency in coordinating the assistance of local units of government, other state agencies, and volunteer resources in providing reasonable and necessary emergency measures for disaster mitigation throughout the county. This declaration will also provide for the reassessment of real and personal property and make possible any requests for Federal disaster assistance.

Issued by the Governor April 15, 1994.

Filed with the Secretary of State April 15, 1994.

#### 94-145

##### ANTHONY M. TORTORIELLO DAY

Whereas, the Joint Civic Committee of Italian Americans has honored Anthony M. Tortoriello as "Man of the Year;" and

Whereas, Mr. Tortoriello will be named in the 1994-95 Who's Who Registry of Business Leaders; and

Whereas, Anthony Tortoriello has helped expand Illinois business through Torco Energy Corporation and its expansion into the international marketplace; and

Whereas, the Joint Civic Committee of Italian Americans will honor Mr. Tortoriello on May 7, for his outstanding achievements and contributions to Illinois business;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 7, 1994, as ANTHONY M. TORTORIELLO DAY in Illinois.

Issued by the Governor April 7, 1994.

Filed with the Secretary of State April 15, 1994.

#### 94-146

##### DAVE AND LINDA KINDERNAY DAY

Whereas, Dave is the son of the late Andy Kindernay and was born on October 9, 1955, in Hillsboro; and

Whereas, Linda is the daughter of Norton and Sue Henke and was born on February 2, 1956; and

Whereas, Linda and Dave were married on June 1, 1974, and are

the parents of two sons, Andy and Robby, and have been foster parents to seven children; and

Whereas, Dave is the president of the Hillsboro Sports Association, Linda, is vice president of Hillsboro girls' sports, and both Dave and Linda have been past officers of Hillsboro Sports Boosters and have coached numerous youth sports teams; and

Whereas, Dave has run a benefit baseball tournament the past two years for individuals in need of help with medical expenses, and he has spearheaded numerous fund-raising efforts; and

Whereas, Dave's biggest fund-raising endeavor yet is his current one to raise \$20,000 for lights for the Hillsboro High School to allow football games to once again be played on Friday nights; and

Whereas, both Linda and Dave have worked ticket booths at Old Settlers for the Post Prom Committee and have chaperoned the Post Prom event; and

Whereas, Linda and Dave have demonstrated a loyal commitment to the community of Hillsboro and its citizens and have set an example by their dedication to the youth of the Hillsboro community;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 17, 1994, as DAVE AND LINDA KINDERNAY DAY in Illinois.

Issued by the Governor April 7, 1994.

Filed with the Secretary of State April 15, 1994.

94-147

#### DESIGN/DRAFTING WEEK

Whereas, the growth and expansion of Illinois and the nation is a result, in part, of competent and competitive engineering; and

Whereas, individuals in the field of design and drafting have helped make advances in areas ranging from affordable housing to the space program; and

Whereas, design and drafting professionals play a vital role in the continuing expansion and improvement of the State of Illinois; and

Whereas, the American Design Drafting Association will hold its 35th Annual Technical Conference in Seattle, Washington, April 26-29;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 18-22, 1994, as DESIGN/DRAFTING WEEK in Illinois in honor of the more than 500,000 professional designers and drafters in America.

Issued by the Governor April 7, 1994.

Filed with the Secretary of State April 15, 1994.

94-148

#### HAROLD WASHINGTON DAY

Whereas, the late Chicago Mayor Harold Washington was born April 15, 1922; and

Whereas, Harold Washington served as a state representative from 1965 to 1977. During that time, he was principle author of many bills, including the Consumer Credit Reform Act, 1965; the Witness Protection Act, 1972; and he Dr. Martin Luther King, Jr. Holiday Act, 1972; and

Whereas, Harold Washington served as a state senator from 1977 to 1980; and

Whereas, from 1980 to 1983, he held a congressional office and was influential in garnering support for the amendment to the Voting Rights Act; and

Whereas, Harold Washington's messages inspired people in all communities; and

Whereas, the Chicago Public Library is sponsoring the third annual commemorative birthday celebration in honor of Harold Washington with the program theme "Messages of Inspiration;"

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 15, 1994, as HAROLD WASHINGTON DAY in Illinois.

Issued by the Governor April 7, 1994.

Filed with the Secretary of State April 15, 1994.

94-149

#### ILLINOIS EYE FUND/UIC EYE CENTER DAY

Whereas, May 1994 marks the 136th anniversary of the University of Illinois at Chicago Eye and Ear Infirmary, formerly known as the Chicago Charitable Eye and Ear Infirmary; and

Whereas, since 1858, the Eye and Ear Infirmary has treated hundreds of thousands of people with conditions that threaten vision and hearing. The facility continues to make a major contribution to the quality of health care in Chicago; and

Whereas, the Eye and Ear Infirmary is the oldest constituent of the University of Illinois at Chicago College of Medicine, the largest medical school in the nation; and

Whereas, the University of Illinois at Chicago Eye Center, housed in the Eye and Ear Infirmary, created the Illinois Eye Fund in 1986 to support its vision research, patient care, and educational programs; and

Whereas, on May 14, 1994, the Illinois Eye Fund will hold its 9th Annual Spring Benefit;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 14, 1994, as ILLINOIS EYE FUND/UIC EYE CENTER DAY in Illinois in recognition of the historical significance of the University of Illinois at Chicago's Eye and Ear Infirmary.



Issued by the Governor April 7, 1994.  
Filed with the Secretary of State April 15, 1994.

## 94-150

## MEDICAL ASSISTANTS WEEK

Whereas, the health of all our citizens is directly affected by the many professional medical assistants who support and assist physicians in rendering life-saving services; and

Whereas, many medical assistants seek to maintain the highest standards of professional excellence by taking advantage of educational programs offered by professional organizations such as the Illinois Society of Medical Assistants. This involvement ensures that our citizens receive the best medical care possible; and

Whereas, we should commend the dedication of those in medical fields who seek to upgrade their profession and improve their careers as valuable members of medical teams;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 28-May 1, 1994, as MEDICAL ASSISTANTS WEEK in Illinois. On behalf of the citizens of Illinois, I extend thanks to all the medical assistants who have given their best to this profession so that we all may receive quality medical care.

Issued by the Governor April 7, 1994.

Filed with the Secretary of State April 15, 1994.

## 94-151

## YEAR OF THE CONGO EXPEDITION

Whereas, on April 22, 1994, The Congo Expedition will leave Washington, D.C., to retrace the historic route taken by Henry M. Stanley in 1874 in his search for the source of the Nile and Congo Rivers; and

Whereas, Sue Ogrocki of Chicago has been chosen as one of the 16 individuals out of 1,700 applicants to be a member of The Congo Expedition; and

Whereas, the 6,000 mile expedition across Africa will be shared with 64,000 schools throughout the nation via satellite, providing a line of communication between students and team explorers; and

Whereas, the journey will bring the knowledge of the rich history, cultural and environmental resources to students in the classroom;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 22, 1994-April 22, 1995, as YEAR OF THE CONGO EXPEDITION in Illinois and I encourage schools across the state to become involved in The Congo Expedition.

Issued by the Governor April 7, 1994.  
Filed with the Secretary of State April 15, 1994.

## 94-152

## YOUTH SERVICE DAY

Whereas, our nation was built upon a spirit of volunteerism, and the talents and energies of American volunteers continue to be one of our greatest resources; and

Whereas, community service is an important responsibility of good citizenship; and

Whereas, on Tuesday, April 19, young people in Illinois and across the nation who have responded to the needs of their communities will be recognized and honored by Youth Service America; and

Whereas, National Youth Service Day will bring about a greater awareness of the power and potential of our young people organized on behalf of an important cause;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 19, 1994, as YOUTH SERVICE DAY in Illinois.

Issued by the Governor April 7, 1994.  
Filed with the Secretary of State April 15, 1994.

## 94-153

## CHICAGO COIN CLUB DAY

Whereas, the Chicago Coin Club will celebrate its 75th anniversary year with a banquet April 16, 1994, in conjunction with the Chicago International Coin Fair; and

Whereas, the President of the American Numismatic Association, David Ganz, will speak to an expected attendance of more than 100 guests; and

Whereas, the Chicago Coin Club will continue tradition of Lee Hewitt's Numismatic Scrapbook with a video version of the scrapbook; and

Whereas, a commemorative anniversary medal in replica of "The Discoverers" sculpture by James Earl Fraser will be issued in bronze, sterling silver, and 10 karat gold. Fraser is a well-known Chicago sculptor whose work "The Discoverers" and "The Pioneers" appear on the Michigan Avenue bridge and is also the designer of the Indian Head nickel;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 16, 1994, as CHICAGO COIN CLUB DAY in Illinois in honor and recognition of their 75th anniversary as a numismatic organization.

Issued by the Governor April 12, 1994.

Filed with the Secretary of State April 15, 1994.

94-154

## CHILD ABUSE PREVENTION SERVICES DAY

Whereas, 1994 marks the 20th anniversary of the organization Child Abuse Prevention Services (CAPS); and

Whereas, the State of Illinois recognizes the importance of and is determined to foster and advance child abuse prevention awareness in the region; and

Whereas, the State of Illinois recognizes the importance of providing a caring and nurturing environment for our children, who are the future; and

Whereas, in 1993, more than 8,000 distressed parents and caretakers were aided by Child Abuse Prevention Services in their search for non-violent disciplinary alternatives, and more of these parents and caretakers are continuing to be reached; and

Whereas, Sam DiPiazza, benefit dinner chairman and managing partner of Chicago Cluster, Coopers & Lybrand has influenced other corporate and civic leaders to lend their support to CAPS; and

Whereas, the awareness and education about child abuse prevention provided by the Chicago Tribune through its year-long series, "Killing Our Children," and the leadership of Jack Fuller, president and CEO of the Chicago Tribune, has assisted in the combat against child abuse; and

Whereas, this day of recognizing CAPS' achievements and essential work in the community will serve to strengthen our commitment to child abuse prevention and awareness;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 19, 1994, as CHILD ABUSE PREVENTION SERVICES DAY in Illinois, and urge citizens to be aware of the continuing efforts being made toward child abuse prevention.

Issued by the Governor April 12, 1994.

Filed with the Secretary of State April 15, 1994.

94-155

## KEEP AMERICA BEAUTIFUL MONTH

Whereas, the State of Illinois is rich in natural resources a Whereas, every citizen should contribute to keeping the Illinois environment clean and healthful and should work with others to preserve clean air, fresh water, and the natural beauty of our surroundings; and

Whereas, this can be accomplished through community involvement and initiatives such as groups and individuals adopting portions of our roadways to keep them litter-free; and

Whereas, Keep America Beautiful, Inc., the national, nonprofit public educational organization responsible for involving individuals in community improvement, originated the

Keep America Beautiful Month to focus attention on the efforts of concerned Americans;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 1994 as KEEP AMERICA BEAUTIFUL MONTH in Illinois. I ask all citizens from businesses, civic groups, government agencies, and other organizations to work together to preserve the natural beauty of our state not only during the observance, but throughout the year.

Issued by the Governor April 12, 1994.

Filed with the Secretary of State April 15, 1994.

94-156

## SETH IRA STEARNS DAY

Whereas, Seth Ira Stearns graduated from Aurora College in Illinois in 1957, and while working at a local hospital, he met his wife, Janet; and

Whereas, Seth Stearns has made process improvements in his area, provided customer satisfaction, and has enhanced technology and innovation over the past 33 years with Abbott Laboratories; and

Whereas, Seth will leave his career with Abbott Laboratories to retire in Center Harbor, New Hampshire, where he will oversee the construction and completion of a new log home;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 29, 1994, as SETH IRA STEARNS DAY in Illinois.

Issued by the Governor April 12, 1994.

Filed with the Secretary of State April 15, 1994.

94-157

## GIRL SCOUT LEADERS DAY

Whereas, April 22 marks the 13th annual Girl Scout Leaders Day; and

Whereas, Girl Scouting provides a setting where girls can have fun while gaining self-confidence, developing life skills, and learning how to be thoughtful and responsible; and

Whereas, adult Girl Scout leaders are a vital part of this process, serving as role models and providing inspiration and leadership; and

Whereas, the 82-year-old tradition of Girl Scouting depends on the continuing service and devotion of these volunteer leaders;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 22, 1994, as GIRL SCOUT LEADERS DAY in Illinois, and encourage our citizens to lend continued support and cooperation to the Girl Scouts.

Issued by the Governor April 13, 1994.  
Filed with the Secretary of State April 15, 1994.

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Order by JCAR Joint Committee on Rules)
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR Objections
RQ - Request for Correction	
EC - Expedited Corrections	

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS,  
PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT  
THE ADMINISTRATIVE CODE DIVISION AT (217) 782-7017.

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89 Ill. Adm. Code 260 Long-Term Care Insurance Partnership Demonstration Program (P-3802)  
89 Ill. Adm. Code 230 Older Americans Act Program (P-5720)

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8 Ill. Adm. Code 110 Animal Diagnostic Act (P-14717; A-1825)  
8 Ill. Adm. Code 75 Bovine Brucellosis (P-14728/93; A-1833)  
8 Ill. Adm. Code 257 Cooperative Groundwater Protection Program (P-14288/93; A-205)  
8 Ill. Adm. Code 20 Definitions (P-14793; A-1844)  
8 Ill. Adm. Code 85 Diseased Animals (P-14747/93; A-1850)  
8 Ill. Adm. Code 116 Equine Infectious Anemia Control (P-14761/93; A-1861)  
68 Ill. Adm. Code 590 Feeder Swine Dealer Licensing (P-14765/93; A-1865)  
8 Ill. Adm. Code 270 Illinois State Fair and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds (P-3164)  
8 Ill. Adm. Code 40 Livestock Auction Markets (P-14769/93; A-1869)  
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14 Ill. Adm. Code 200 Franchise Disclosure Act (PP-2522)

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2 Ill. Adm. Code 600 Public Information, Rulemaking, Organization and Personnel (A-6404) (AR-6440)

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80 Ill. Adm. Code 302 Merit & Fitness (P-14788/93; A-1892)  
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80 Ill. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (A-3115)



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 89 Ill. Adm. Code 466 Licensing Standards for Day Care Homes (P-2683)(P-11964/93;A-5531)  
 89 Ill. Adm. Code 408 Licensing Standards for Group Day Care Homes (P-2700)(P-11976/93;A-5540)

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TYPE OF RULE MAKING

am = amend to existing Section  
cc = codification changes  
n = New section  
r = repeal of existing Section  
re = reclassified  
# = renumbered

ACTION CODE

A = Adopted Rule  
E = Emergency  
P = Proposed Rule  
PP = Peremptory  
M = Modification  
W = Withdrawal  
CC = Codification Changes  
RQ = Request for Correction  
PF = Prohibited Filing  
S = Suspension  
O = JCAR Objection  
F = Failure to Remedy Objections  
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1994

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220.500	am	(P-13307/93;A-4758)	250.1700	am	(P-13307/93;A-4840)
220.600	am	(P-13307/93;A-4758)	250.1800	am	(P-13307/93;A-4848)
220.700	am	(P-13307/93;A-4758)	250.1900	am	(P-13307/93;A-4856)
220.760	am	(P-13307/93;A-4758)	250.2000	am	(P-13307/93;A-4864)
220.780	am	(P-13307/93;A-4758)	250.2100	am	(P-13307/93;A-4872)
220.800	am	(P-13307/93;A-4758)	250.2200	am	(P-13307/93;A-4880)
220.850	am	(P-13307/93;A-4758)	255.10	n	(E-5359)
220.900	am	(P-13307/93;A-4758)	255.20	n	(E-5359)
220.950	am	(P-13307/93;A-4758)	255.30	n	(E-5359)
220.1000	am	(P-13307/93;A-4758)	255.40	n	(E-5359)
220.1100	am	(P-13307/93;A-4758)	255.50	n	(E-5359)
220.1150	am	(P-13307/93;A-4758)	255.60	n	(E-5359)
220.1200	am	(P-13307/93;A-4758)	255.70	n	(E-5359)
220.1250	am	(P-13307/93;A-4758)	255.80	n	(E-5359)
220.1300	am	(P-13307/93;A-4758)	255.90	n	(E-5359)
220.1350	am	(P-13307/93;A-4758)	256.00	am	(P-13268/93;A-4705)
220.1400	am	(P-13307/93;A-4758)	256.100	am	(P-13268/93;A-4713)
220.1450	am	(P-13307/93;A-4758)	256.200	am	(P-13268/93;A-4721)
220.1500	am	(P-13307/93;A-4758)	256.300	am	(P-13268/93;A-4729)
220.1550	am	(P-13307/93;A-4758)	256.400	am	(P-13268/93;A-4737)
220.1600	am	(P-13307/93;A-4758)	256.500	am	(P-13268/93;A-4745)
220.1650	am	(P-13307/93;A-4758)	256.600	am	(P-13268/93;A-4753)
220.1700	am	(P-13307/93;A-4758)	256.700	am	(P-13268/93;A-4761)
220.1750	am	(P-13307/93;A-4758)	256.800	am	(P-13268/93;A-4769)
220.1800	am	(P-13307/93;A-4758)	256.900	am	(P-13268/93;A-4777)
220.1850	am	(P-13307/93;A-4758)	256.1000	am	(P-13268/93;A-4785)
220.1900	am	(P-13307/93;A-4758)	256.1100	am	(P-13268/93;A-4793)
220.1950	am	(P-13307/93;A-4758)	256.1200	am	(P-13268/93;A-4801)
220.2000	am	(P-13307/93;A-4758)	256.1300	am	(P-13268/93;A-4809)
220.2050	am	(P-13307/93;A-4758)	256.1400	am	(P-13268/93;A-4817)
220.2100	am	(P-13307/93;A-4758)	256.1500	am	(P-13268/93;A-4825)
220.2150	am	(P-13307/93;A-4758)	256.1600	am	(P-13268/93;A-4833)
220.2200	am	(P-13307/93;A-4758)	256.1700	am	(P-13268/93;A-4841)
220.2250	am	(P-13307/93;A-4758)	256.1800	am	(P-13268/93;A-4849)
220.2300	am	(P-13307/93;A-4758)	256.1900	am	(P-13268/93;A-4857)
220.2350	am	(P-13307/93;A-4758)	256.2000	am	(P-13268/93;A-4865)
220.2400	am	(P-13307/93;A-4758)	256.2100	am	(P-13268/93;A-4873)
220.2450	am	(P-13307/93;A-4758)	256.2200	am	(P-13268/93;A-4881)
220.2500	am	(P-13307/93;A-4758)	256.2300	am	(P-13268/93;A-4889)
220.2550	am	(P-13307/93;A-4758)	256.2400	am	(P-13268/93;A-4897)
220.2600	am	(P-13307/93;A-4758)	256.2500	am	(P-13268/93;A-4905)
220.2650	am	(P-13307/93;A-4758)	256.2600	am	(P-13268/93;A-4913)
220.2700	am	(P-13307/93;A-4758)	256.2700	am	(P-13268/93;A-4921)
220.2750	am	(P-13307/93;A-4758)	256.2800	am	(P-13268/93;A-4929)
220.2800	am	(P-13307/93;A-4758)	256.2900	am	(P-13268/93;A-4937)
220.2850	am	(P-13307/93;A-4758)	256.3000	am	(P-13268/93;A-4945)
220.2900	am	(P-13307/93;A-4758)	256.3100	am	(P-13268/93;A-4953)
220.2950	am	(P-13307/93;A-4758)	256.3200	am	(P-13268/93;A-4961)
220.3000	am	(P-13307/93;A-4758)	256.3300	am	(P-13268/93;A-4969)
220.3050	am	(P-13307/93;A-4758)	256.3400	am	(P-13268/93;A-4977)
220.3100	am	(P-13307/93;A-4758)	256.3500	am	(P-13268/93;A-4985)
220.3150	am	(P-13307/93;A-4758)	256.3600	am	(P-13268/93;A-4993)
220.3200	am	(P-13307/93;A-4758)	256.3700	am	(P-13268/93;A-5001)
220.3250	am	(P-13307/93;A-4758)	256.3800	am	(P-13268/93;A-5009)
220.3300	am	(P-13307/93;A-4758)	256.3900	am	(P-13268/93;A-5017)
220.3350	am	(P-13307/93;A-4758)	256.4000	am	(P-13268/93;A-5025)
220.3400	am	(P-13307/93;A-4758)	256.4100	am	(P-13268/93;A-5033)
220.3450	am	(P-13307/93;A-4758)	256.4200	am	(P-13268/93;A-5041)
220.3500	am	(P-13307/93;A-4758)	256.4300	am	(P-13268/93;A-5049)
220.3550	am	(P-13307/93;A-4758)	256.4400	am	(P-13268/93;A-5057)
220.3600	am	(P-13307/93;A-4758)	256.4500	am	(P-13268/93;A-5065)
220.3650	am	(P-13307/93;A-4758)	256.4600	am	(P-13268/93;A-5073)
220.3700	am	(P-13307/93;A-4758)	256.4700	am	(P-13268/93;A-5081)
220.3750	am	(P-13307/93;A-4758)	256.4800	am	(P-13268/93;A-5089)
220.3800	am	(P-13307/93;A-4758)	256.4900	am	(P-13268/93;A-5097)
220.3850	am	(P-13307/93;A-4758)	256.5000	am	(P-13268/93;A-5105)
220.3900	am	(P-13307/93;A-4758)	256.5100	am	(P-13268/93;A-5113)
220.3950	am	(P-13307/93;A-4758)	256.5200	am	(P-13268/93;A-5121)
220.4000	am	(P-13307/93;A-4758)	256.5300	am	(P-13268/93;A-5129)
220.4050	am	(P-13307/93;A-4758)	256.5400	am	(P-13268/93;A-5137)
220.4100	am	(P-13307/93;A-4758)	256.5500	am	(P-13268/93;A-5145)
220.4150	am	(P-13307/93;A-4758)	256.5600	am	(P-13268/93;A-5153)
220.4200	am	(P-13307/93;A-4758)	256.5700	am	(P-13268/93;A-5161)
220.4250	am	(P-13307/93;A-4758)	256.5800	am	(P-13268/93;A-5169)
220.4300	am	(P-13307/93;A-4758)	256.5900	am	(P-13268/93;A-5177)
220.4350	am	(P-13307/93;A-4758)	256.6000	am	(P-13268/93;A-5185)
220.4400	am	(P-13307/93;A-4758)	256.6100	am	(P-13268/93;A-5193)
220.4450	am	(P-13307/93;A-4758)	256.6200	am	(P-13268/93;A-5201)
220.4500	am	(P-13307/93;A-4758)	256.6300	am	(P-13268/93;A-5209)
220.4550	am	(P-13307/93;A-4758)	256.6400	am	(P-13268/93;A-5217)
220.4600	am	(P-13307/93;A-4758)	256.6500	am	(P-13268/93;A-5225)
220.4650	am	(P-13307/93;A-4758)	256.6600	am	(P-13268/93;A-5233)
220.4700	am	(P-13307/93;A-4758)	256.6700	am	(P-13268/93;A-5241)
220.4750	am	(P-13307/93;A-4758)	256.6800	am	(P-13268/93;A-5249)
220.4800	am	(P-13307/93;A-4758)	256.6900	am	(P-13268/93;A-5257)
220.4850	am	(P-13307/93;A-4758)	256.7000	am	(P-13268/93;A-5265)
220.4900	am	(P-13307/93;A-4758)	256.7100	am	(P-13268/93;A-5273)
220.4950	am	(P-13307/93;A-4758)	256.7200	am	(P-13268/93;A-5281)
220.5000	am	(P-13307/93;A-4758)	256.7300	am	(P-13268/93;A-5289)
220.5050	am	(P-13307/93;A-4758)	256.7400	am	(P-13268/93;A-5297)
220.5100	am	(P-13307/93;A-4758)	256.7500	am	(P-13268/93;A-5305)
220.5150	am	(P-13307/93;A-4758)	256.7600	am	(P-13268/93;A-5313)
220.5200	am	(P-13307/93;A-4758)	256.7700	am	(P-13268/93;A-5321)
220.5250	am	(P-13307/93;A-4758)	256.7800	am	(P-13268/93;A-5329)
220.5300	am	(P-13307/93;A-4758)	256.7900	am	(P-13268/93;A-5337)
220.5350	am	(P-13307/93;A-4758)	256.8000	am	(P-13268/93;A-5345)
220.5400	am	(P-13307/93;A-4758)	256.8100	am	(P-13268/93;A-5353)
220.5450	am	(P-13307/93;A-4758)	256.8200	am	(P-13268/93;A-5361)
220.5500	am	(P-13307/93;A-4758)	256.8300	am	(P-13268/93;A-5369)
220.5550	am	(P-13307/93;A-4758)	256.8400	am	(P-13268/93;A-5377)
220.5600	am	(P-13307/93;A-4758)	256.8500	am	(P-13268/93;A-5385)
220.5650	am	(P-13307/93;A-4758)	256.8600	am	(P-13268/93;A-5393)
220.5700	am	(P-13307/93;A-4758)	256.8700	am	(P-13268/93;A-5401)
220.5750	am	(P-13307/93;A-4758)	256.8800	am	(P-13268/93;A-5409)
220.5800	am	(P-13307/93;A-4758)	256.8900	am	(P-13268/93;A-5417)
220.5850	am	(P-13307/93;A-4758)	256.9000	am	(P-13268/93;A-5425)
220.5900	am	(P-13307/93;A-4758)	256.9100	am	(P-13268/93;A-5433)
220.5950	am	(P-13307/93;A-4758)	256.9200	am	(P-13268/93;A-5441)
220.6000	am	(P-13307/93;A-4758)	256.9300	am	(P-13268/93;A-5449)
220.6050	am	(P-13307/93;A-4758)	256.9400	am	(P-13268/93;A-5457)
220.6100	am	(P-13307/93;A-4758)	256.9500	am	(P-13268/93;A-5465)
220.6150	am	(P-13307/93;A-4758)	256.9600	am	(P-13268/93;A-5473)
220.6200	am	(P-13307/93;A-4758)	256.9700	am	(P-13268/93;A-5481)
220.6250	am	(P-13307/93;A-4758)	256.9800	am	(P-13268/93;A-5489)
220.6300	am	(P-13307/93;A-4758)	256.9900	am	(P-13268/93;A-5497)
220.6350	am	(P-13307/93;A-4758)	257.0000	am	(P-13268/93;A-5505)
220.6400	am	(P-13307/93;A-4758)	257.0100	am	(P-13268/93;A-5513)
220.6450	am	(P-13307/93;A-4758)	257.0200	am	(P-13268/93;A-5521)
220.6500	am	(P-13307/93;A-4758)	257.0300	am	(P-13268/93;A-5529)
220.6550	am	(P-13307/93;A-4758)	257.0400	am	(P-13268/93;A-5537)
220.6600	am	(P-13307/93;A-4758)	257.0500	am	(P-13268/93;A-5545)
220.6650	am	(P-13307/93;A-4758)	257.0600	am	(P-13268/93;A-5553)
220.6700	am	(P-13307/93;A-4758)	257.0700	am	(P-13268/93;A-5561)
220.6750	am	(P-13307/93;A-4758)	257.0800	am	(P-13268/93;A-5569)
220.6800	am	(P-13307/93;A-4758)	257.0900	am	(P-13268/93;A-5577)
220.6850	am	(P-13307/93;A-4758)	257.1000	am	(P-13268/93;A-5585)
220.6900	am	(P-13307/93;A-4758)	257.1100	am	(P-13268/93;A-5593)
220.6950	am	(P-13307/93;A-4758)	257.1200	am	(P-13268/93;A-5601)
220.7000	am	(P-13307/93;A-4758)	257.1300	am	(P-13268/9

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TITLE	23			r		610.30		2732.10	em	(P-1098)
1.10	am	(P-1007/93/A.1171)	610.40	r	(P-1760/93/A.5549)	2732.20	am	(P-1098)		
1.120	am	(P-1007/93/A.1171)	610.50	r	(P-1760/93/A.5549)	2732.30	am	(P-1098)		
1.20	am	(P-1007/93/A.1171)	610.60	r	(P-1760/93/A.5549)	2732.40	am	(P-1064)		
1.30	am	(P-1007/93/A.1171)	1020.10	em	(P-1763/93/A.4174)	2760.10	am	(P-1073)		
1.40	am	(P-1007/93/A.1171)	1020.40	em	(P-1763/93/A.4174)	2760.30	am	(P-1803)		
1.50	am	(P-1007/93/A.1171)	1040.50	em	(P-1763/93/A.4174)	2760.40	am	(P-1803)		
1.60	am	(P-1007/93/A.1171)	1300.10	em	(P-5515)	2761.30	am	(P-1073)		
1.70	am	(P-1007/93/A.1171)	1300.20	em	(P-5515)	2761.40	am	(P-1073)		
1.80	am	(P-1007/93/A.1171)	1300.30	em	(P-5515)	2762.30	am	(P-1089)		
1.90	n	(P-1007/93/A.1171)	1300.40	em	(P-5515)	2762.40	am	(P-1089)		
1.100	n	(P-1007/93/A.1171)	1300.50	em	(P-5515)	2763.20	am	(P-1080)		
1.A96.D	n	(P-1007/93/A.1171)	1300.60	em	(P-5515)	2763.40	am	(P-1080)		
1.A96.E	n	(P-1007/93/A.1171)	1300.70	em	(P-5515)	2763.50	am	(P-1080)		
1.A96.F	n	(P-1007/93/A.1171)	1300.80	em	(P-5515)	2770.30	am	(P-1021)		
1.A96.G	n	(P-1007/93/A.1171)	1300.90	em	(P-5515)	2770.40	am	(P-1006)		
110.20	am	(P-1293/93/A.5178)	1300.100	em	(P-5515)	2771.40	am	(P-1006)		
110.25	am	(P-1293/93/A.5178)	1300.120	em	(P-5515)	3040.330	n	(P-1341/93/A.4980)		
110.40	am	(P-1293/93/A.5178)	1300.130	em	(P-5515)	3040.310	n	(P-1341/93/A.4980)		
110.50	am	(P-1293/93/A.5178)	1300.140	em	(P-5515)	3040.320	n	(P-1341/93/A.4980)		
110.90	am	(P-1293/93/A.5178)	1300.150	em	(P-5515)	3040.330	n	(P-1341/93/A.4980)		
110.100	am	(P-1293/93/A.5178)	1300.160	em	(P-5515)	3060.100	am	(P-1667/93/A.4986)		
110.110	am	(P-1293/93/A.5178)	1300.170	em	(P-5515)	3060.200	am	(P-1667/93/A.4986)		
110.115	am	(P-1293/93/A.5178)	1300.180	em	(P-5515)	3060.400	am	(P-1667/93/A.4986)		
110.120	n	(P-1293/93/A.5178)	1300.190	em	(P-5515)	3060.500	am	(P-1667/93/A.4986)		
110.125	n	(P-1293/93/A.5178)	1501.102	am	(P-6566/93/A.4635)	3060.600	am	(P-1667/93/A.4986)		
110.135	n	(P-1293/93/A.5178)	1501.105	am	(P-6566/93/A.4635)	3060.800	am	(P-1667/93/A.4986)		
110.140	am	(P-1293/93/A.5178)	1501.109	am	(P-6566/93/A.4635)	3060.900	am	(P-1667/93/A.4986)		
110.tB	am	(P-1293/93/A.5178)	1501.110	am	(P-6566/93/A.4635)	3060.1000	am	(P-1667/93/A.4986)		
110.tC	am	(P-1293/93/A.5178)	1501.201	am	(P-6566/93/A.4635)	3060.1000	am	(P-1667/93/A.4986)		
110.tD	am	(P-1293/93/A.5178)	1501.202	am	(P-6566/93/A.4635)	3070.100	am	(P-19450/93/A.4981)		
170.10	n	(P-1841/93/A.4699)	1501.301	am	(P-6566/93/A.4635)	3070.110	am	(P-19450/93/A.4981)		
170.20	n	(P-1841/93/A.4699)	1501.302	am	(P-6566/93/A.4635)	3070.120	am	(P-19450/93/A.4981)		
170.30	n	(P-1841/93/A.4699)	1501.307	am	(P-6566/93/A.4635)	3070.130	am	(P-19450/93/A.4981)		
170.40	n	(P-1841/93/A.4699)	1501.309	am	(P-6566/93/A.4635)	3070.140	am	(P-19450/93/A.4981)		
170.50	n	(P-1841/93/A.4699)	1501.406	am	(P-6566/93/A.4635)	3070.150	am	(P-19450/93/A.4981)		
210.10	f	(P-1005/93/A.1169)	1501.501	am	(P-6566/93/A.4635)	3070.160	em	(P-19450/93/A.4981)		
210.100	f	(P-1005/93/A.1169)	1501.505	am	(P-6566/93/A.4635)	3070.170	em	(P-19450/93/A.4981)		

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210.140	f	(P-1008/93/A-1169)	1501 607	am	(P-6686/93/A-4635)	300 10	f	(P-1386/93/A-6394)
210.150	f	(P-1008/93/A-1169)	1501 703	am	(P-6686/93/A-4635)	300 20	f	(P-1386/93/A-6394)
210.200	f	(P-1008/93/A-1169)	1501 301	am	(P-5569)	300 30	f	(P-1386/93/A-6394)
210.210	f	(P-1008/93/A-1169)	1501 302	am	(P-5569)	300 40	f	(P-1386/93/A-6394)
210.220	f	(P-1008/93/A-1169)	1501 501	am	(P-3308/A-13997)	300 50	f	(P-1386/93/A-6394)

300.60

[illegible]

510.40

[illegible]

1300.50

[illegible]

1310.50

	$\tau$	$(P-17611/93/A-5551)$	$2730.5$	am	$(P-1058)$
550.800	$\tau$	$(P-17611/93/A-5551)$	2730.20		
550.700	$\tau$	$(P-17611/93/A-5551)$	2731.10	am	$(P-1054)$
810.10	$\tau$	$(P-17603/93/A-5549)$	2731.20	am	$(P-1054)$
610.20	$\tau$	$(P-17603/93/A-5549)$			

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320 10	em	(P-8693/93.A.3363)	351, 25	n	(P-8674/93.A.3344)	505, 82	n	(P-15220/93.A.2317)
320 15	n	(P-8693/93.A.3363)	351, 40	em	(P-8674/93.A.3344)	505, 84	em	(P-15220/93.A.2317)
320 30	em	(P-8693/93.A.3363)	351, 1010	em	(P-8674/93.A.3344)	505, 86	n	(P-15220/93.A.2317)
320 30	em	(P-8693/93.A.3363)	351, 1040	em	(P-8674/93.A.3344)	505, 90	n	(P-15220/93.A.2317)
320 40	em	(P-8693/93.A.3363)	351, 1050	em	(P-8674/93.A.3344)	505, 100	n	(P-15220/93.A.2317)
330 10	em	(P-14417/93.A.5553)	351, 1080	em	(P-8674/93.A.3344)	505, 110	n	(P-15220/93.A.2317)
330 15	n	(P-14417/93.A.5553)	351, 1070	em	(P-8674/93.A.3344)	505, 120	n	(P-15220/93.A.2317)
330 30	em	(P-14417/93.A.5553)	351, 1080	em	(P-8674/93.A.3344)	505, 130	n	(P-15220/93.A.2317)
330 40	em	(P-14417/93.A.5553)	351, 1080	em	(P-8674/93.A.3344)	505, 140	n	(P-15220/93.A.2317)
330 200	em	(P-14417/93.A.5553)	351, 1100	em	(P-8674/93.A.3344)	505, 150	n	(P-15220/93.A.2317)
330 210	em	(P-14417/93.A.5553)	351, 2020	em	(P-8674/93.A.3344)	505, 160	n	(P-15220/93.A.2317)
330 220	em	(P-14417/93.A.5553)	351, 2030	em	(P-8674/93.A.3344)	505, 170	n	(P-15220/93.A.2317)
330 240	em	(P-14417/93.A.5553)	351, 2030	em	(P-8674/93.A.3344)	505, 180	n	(P-15220/93.A.2317)
330 250	em	(P-14417/93.A.5553)	351, 3040	em	(P-8674/93.A.3344)	505, 190	n	(P-15220/93.A.2317)
330 260	em	(P-14417/93.A.5553)	351, 3040	em	(P-8674/93.A.3344)	505, 100	n	(P-15220/93.A.2317)
330 270	em	(P-14417/93.A.5553)	351, 4020	em	(P-8674/93.A.3344)	505, 110	n	(P-15220/93.A.2317)
330 280	em	(P-14417/93.A.5553)	351, 4020	em	(P-8674/93.A.3344)	505, 120	n	(P-15220/93.A.2317)
330 300	em	(P-14417/93.A.5553)	351, 4030	em	(P-8674/93.A.3344)	505, 130	n	(P-15220/93.A.2317)
330 310	em	(P-14417/93.A.5553)	351, 5010	em	(P-8674/93.A.3344)	505, 140	n	(P-15220/93.A.2317)
330 320	em	(P-14417/93.A.5553)	351, 4618	em	(P-8674/93.A.3344)	505, 150	n	(P-15220/93.A.2317)
330 340	em	(P-14417/93.A.5553)	360, 10	em	(P-3396)	505, 160	n	(P-15220/93.A.2317)
330 900	em	(P-14417/93.A.5553)	360, 20	em	(P-3396)	505, 170	n	(P-15220/93.A.2317)
330 ApA	em	(P-14417/93.A.5553)	360, 30	em	(P-3396)	505, 180	n	(P-15220/93.A.2317)
330 ApB	em	(P-14417/93.A.5553)	360, 30	em	(P-3396)	505, 190	n	(P-15220/93.A.2317)
330 ApD	em	(P-14417/93.A.5553)	360, 40	em	(P-3396)	505, 200	n	(P-15220/93.A.2317)
330 ApE	em	(P-14417/93.A.5553)	360, 90	em	(P-3396)	505, 2100	n	(P-15220/93.A.2317)
330 ApH	em	(P-14417/93.A.5553)	360, 100	em	(P-3396)	505, 2200	n	(P-15220/93.A.2317)
331 10	em	(P-3045)	360, 110	em	(P-3396)	505, 2300	n	(P-15220/93.A.2317)
331 20	em	(P-3045)	360, 120	em	(P-3396)	505, 2400	n	(P-15220/93.A.2317)
331 30	em	(P-3045)	360, 120	em	(P-3396)	505, 2500	n	(P-15220/93.A.2317)
331 110	em	(P-3045)	360, 761A	em	(P-3396)	505, 2600	n	(P-15220/93.A.2317)
331 120	em	(P-3045)	360, 20	em	(P-8666/93.A.3143)	505, 2700	n	(P-15220/93.A.2317)
331 130	em	(P-3045)	360, 40	em	(P-8666/93.A.3143)	505, 2800	n	(P-15220/93.A.2317)
331 20	em	(P-3045)	330, 40	em	(P-8666/93.A.3143)	505, 2900	n	(P-15220/93.A.2317)
331 20	em	(P-3045)	330, 40	em	(P-8666/93.A.3143)	505, 3000	n	(P-15

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[illegible]

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[illegible]

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Year	Age	Sex	Number	Mean	SD	Median	Mode	Range	Skewness	Kurtosis	Shapiro-Wilk	Normality	Significance
1993/94	341.30	sm	1	1.3933/93.4	1.186	405.50	n	(P.3326)	n	(P.1635/93.4)	230	n	(P.1635/93.4)
1993/94	341.30	sm	1	1.3933/93.4	1.186	405.50	n	(P.3326)	n	(P.1635/93.4)	230	n	(P.1635/93.4)
1993/94	341.70	sm	1	1.3933/93.4	1.186	405.80	n	(P.3326)	n	(P.1635/93.4)	230	n	(P.1635/93.4)
1993/94	341.80	sm	1	1.3933/93.4	1.186	405.70	n	(P.3326)	n	(P.1635/93.4)	230	n	(P.1635/93.4)
1993/94	341.90	sm	1	1.3933/93.4	1.186	405.80	n	(P.3326)	n	(P.1635/93.4)	230	n	(P.1635/93.4)
1993/94	341.100	sm	1	1.3933/93.4	1.186	405.90	n	(P.3326)	n	(P.1635/93.4)	230	n	(P.1635/93.4)

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341.120	am	(P-1393/93.A-4196)	405.110	n	(P-3326)	n	184.100	n	(P-4)
341.140	am	(P-1393/93.A-4196)	405.120	n	(P-3326)	n	184.101	n	(P-4)
341.150	am	(P-1393/93.A-4196)	405.130	n	(P-3326)	n	184.102	n	(P-4)
341.160	am	(P-1393/93.A-4196)	405.140	n	(P-3326)	n	184.103	n	(P-4)
341.170	am	(P-1393/93.A-4196)	405.150	n	(P-3326)	n	184.104	n	(P-4)

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Sample	Genotype	Frequency	Allele frequency	Genotype	Frequency	Allele frequency
341.180	am	(P-1393/93/A-4196)	505/10	n	(P-1522/93/A-2317)	184/106
341.200	am	(P-1393/93/A-4196)	505/20	n	(P-1522/93/A-2317)	184/200
341.1Ap	r	(P-1393/93/A-4196)	505/30	n	(P-1522/93/A-2317)	184/201
341.1bA	r	(P-1393/93/A-4196)	505/40	n	(P-1522/93/A-2317)	184/202
341.1bB	r	(P-1393/93/A-4196)	505/50	n	(P-1522/93/A-2317)	184/203

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	am	μm	nm	n	(P-15220/93/A-2317)	n	(P-15220/93/A-2317)	n	(P-4)
341.76.D				505.70				184.205	
					(P-1393/93/A-1396)				(P-4)
351.10				505.80				184.206	
					(P-8674/93/A-3344)				(P-4)









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(Title 68, cont.)	275 10	n	(P-1664)(E-1119)	350,3260	ann	(P-4904)	n	610,210	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,120	ann	(P-590)		350,3260	ann	(P-12104/933.A-1432)	n	610,300	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,130	ann	(P-590)		390,110	ann	(P-12128/933.A-1453)	n	610,310	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,140	ann	(P-590)		390,120	ann	(P-12128/933.A-1453)	n	610,320	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,150	ann	(P-590)		390,140	ann	(P-12128/933.A-1453)	n	610,330	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,160	ann	(P-590)		390,150	ann	(P-12128/933.A-1453)	n	610,340	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,170	ann	(P-590)		390,160	ann	(P-12128/933.A-1453)	n	610,350	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,180	ann	(P-590)		390,180	ann	(P-12128/933.A-1453)	n	610,360	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,190	ann	(P-590)		390,282	ann	(P-4924)	n	610,370	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,200	ann	(P-590)		390,640	ann	(P-12128/933.A-1453)	n	610,380	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,210	ann	(P-590)		390,2660	ann	(P-4924)	n	610,390	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,220	ann	(P-590)		420,1	ann	(P-103)	n	610,400	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,230	ann	(P-590)		420,2	ann	(P-103)	n	610,410	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,240	ann	(P-590)		420,10	ann	(P-103)	n	610,420	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,250	ann	(P-590)		420,20	ann	(P-103)	n	610,430	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,260	ann	(P-590)		420,30	ann	(P-103)	n	610,440	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,270	ann	(P-590)		420,40	ann	(P-103)	n	610,450	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,280	ann	(P-590)		420,50	ann	(P-103)	n	610,460	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,290	ann	(P-590)		420,61	ann	(P-103)	n	610,470	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,300	ann	(P-590)		505,10	ann	(P-13631/933.A-5331)	n	610,480	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,310	ann	(P-590)		505,20	ann	(P-13631/933.A-5331)	n	610,490	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,320	ann	(P-590)		505,30	ann	(P-13631/933.A-5331)	n	610,500	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,330	ann	(P-590)		505,40	ann	(P-13631/933.A-5331)	n	610,510	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,340	ann	(P-590)		505,50	ann	(P-13631/933.A-5331)	n	610,520	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,350	ann	(P-590)		505,60	ann	(P-13631/933.A-5331)	n	610,530	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,360	ann	(P-590)		505,70	ann	(P-13631/933.A-5331)	n	610,540	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,370	ann	(P-590)		505,80	ann	(P-13631/933.A-5331)	n	610,550	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,380	ann	(P-590)		505,90	ann	(P-13631/933.A-5331)	n	610,560	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,390	ann	(P-590)		505,100	ann	(P-13631/933.A-5331)	n	610,570	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,400	ann	(P-590)		505,110	ann	(P-13631/933.A-5331)	n	610,580	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,410	ann	(P-590)		505,120	ann	(P-13631/933.A-5331)	n	610,590	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,420	ann	(P-590)		505,130	ann	(P-13631/933.A-5331)	n	610,600	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,430	ann	(P-590)		505,140	ann	(P-13631/933.A-5331)	n	610,610	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,440	ann	(P-590)		505,150	ann	(P-13631/933.A-5331)	n	610,620	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,450	ann	(P-590)		505,160	ann	(P-13631/933.A-5331)	n	610,630	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,460	ann	(P-590)		505,170	ann	(P-13631/933.A-5331)	n	610,640	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,470	ann	(P-590)		505,180	ann	(P-13631/933.A-5331)	n	610,650	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,480	ann	(P-590)		505,190	ann	(P-13631/933.A-5331)	n	610,660	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,490	ann	(P-590)		505,200	ann	(P-13631/933.A-5331)	n	610,670	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,500	ann	(P-590)		505,210	ann	(P-13631/933.A-5331)	n	610,680	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,510	ann	(P-590)		505,220	ann	(P-13631/933.A-5331)	n	610,690	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,520	ann	(P-590)		505,230	ann	(P-13631/933.A-5331)	n	610,700	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,530	ann	(P-590)		505,240	ann	(P-13631/933.A-5331)	n	610,710	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,540	ann	(P-590)		505,250	ann	(P-13631/933.A-5331)	n	610,720	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,550	ann	(P-590)		505,260	ann	(P-13631/933.A-5331)	n	610,730	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,560	ann	(P-590)		505,270	ann	(P-13631/933.A-5331)	n	610,740	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,570	ann	(P-590)		505,280	ann	(P-13631/933.A-5331)	n	610,750	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,580	ann	(P-590)		505,290	ann	(P-13631/933.A-5331)	n	610,760	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,590	ann	(P-590)		505,300	ann	(P-13631/933.A-5331)	n	610,770	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,600	ann	(P-590)		505,310	ann	(P-13631/933.A-5331)	n	610,780	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,610	ann	(P-590)		505,320	ann	(P-13631/933.A-5331)	n	610,790	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,620	ann	(P-590)		505,330	ann	(P-13631/933.A-5331)	n	610,800	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,630	ann	(P-590)		505,340	ann	(P-13631/933.A-5331)	n	610,810	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,640	ann	(P-590)		505,350	ann	(P-13631/933.A-5331)	n	610,820	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,650	ann	(P-590)		505,360	ann	(P-13631/933.A-5331)	n	610,830	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,660	ann	(P-590)		505,370	ann	(P-13631/933.A-5331)	n	610,840	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,670	ann	(P-590)		505,380	ann	(P-13631/933.A-5331)	n	610,850	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,680	ann	(P-590)		505,390	ann	(P-13631/933.A-5331)	n	610,860	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,690	ann	(P-590)		505,400	ann	(P-13631/933.A-5331)	n	610,870	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,700	ann	(P-590)		505,410	ann	(P-13631/933.A-5331)	n	610,880	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,710	ann	(P-590)		505,420	ann	(P-13631/933.A-5331)	n	610,890	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,720	ann	(P-590)		505,430	ann	(P-13631/933.A-5331)	n	610,900	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,730	ann	(P-590)		505,440	ann	(P-13631/933.A-5331)	n	610,910	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,740	ann	(P-590)		505,450	ann	(P-13631/933.A-5331)	n	610,920	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,750	ann	(P-590)		505,460	ann	(P-13631/933.A-5331)	n	610,930	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,760	ann	(P-590)		505,470	ann	(P-13631/933.A-5331)	n	610,940	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,770	ann	(P-590)		505,480	ann	(P-13631/933.A-5331)	n	610,950	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,780	ann	(P-590)		505,490	ann	(P-13631/933.A-5331)	n	610,960	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,790	ann	(P-590)		505,500	ann	(P-13631/933.A-5331)	n	610,970	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,800	ann	(P-590)		505,510	ann	(P-13631/933.A-5331)	n	610,980	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,810	ann	(P-590)		505,520	ann	(P-13631/933.A-5331)	n	610,990	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,820	ann	(P-590)		505,530	ann	(P-13631/933.A-5331)	n	610,100	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,830	ann	(P-590)		505,540	ann	(P-13631/933.A-5331)	n	610,110	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,840	ann	(P-590)		505,550	ann	(P-13631/933.A-5331)	n	610,120	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,850	ann	(P-590)		505,560	ann	(P-13631/933.A-5331)	n	610,130	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,860	ann	(P-590)		505,570	ann	(P-13631/933.A-5331)	n	610,140	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,870	ann	(P-590)		505,580	ann	(P-13631/933.A-5331)	n	610,150	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,880	ann	(P-590)		505,590	ann	(P-13631/933.A-5331)	n	610,160	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,890	ann	(P-590)		505,600	ann	(P-13631/933.A-5331)	n	610,170	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,900	ann	(P-590)		505,610	ann	(P-13631/933.A-5331)	n	610,180	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,910	ann	(P-590)		505,620	ann	(P-13631/933.A-5331)	n	610,190	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,920	ann	(P-590)		505,630	ann	(P-13631/933.A-5331)	n	610,200	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,930	ann	(P-590)		505,640	ann	(P-13631/933.A-5331)	n	610,210	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,940	ann	(P-590)		505,650	ann	(P-13631/933.A-5331)	n	610,220	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,950	ann	(P-590)		505,660	ann	(P-13631/933.A-5331)	n	610,230	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,960	ann	(P-590)		505,670	ann	(P-13631/933.A-5331)	n	610,240	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,970	ann	(P-590)		505,680	ann	(P-13631/933.A-5331)	n	610,250	(P-14824/933.A-4310)	ann	(P-2697/933.A-4296)
1315,980	ann	(P-590)		505,690	ann	(P-13631/933.A-5331)</					

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SECTIONS AFFECTED INDEX April 29, 1994

121 134	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am	(P-18425/93.A.2033)	121 182	am
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